

JPRS 84795

22 November 1983

USSR Report

POLITICAL AND SOCIOLOGICAL AFFAIRS

No. 1479

BASIC DOCUMENTS OF SOVIET
CORRECTIVE LABOR LEGISLATION



FOREIGN BROADCAST INFORMATION SERVICE

NOTE

JPRS publications contain information primarily from foreign newspapers, periodicals and books, but also from news agency transmissions and broadcasts. Materials from foreign-language sources are translated; those from English-language sources are transcribed or reprinted, with the original phrasing and other characteristics retained.

Headlines, editorial reports, and material enclosed in brackets [] are supplied by JPRS. Processing indicators such as [Text] or [Excerpt] in the first line of each item, or following the last line of a brief, indicate how the original information was processed. Where no processing indicator is given, the information was summarized or extracted.

Unfamiliar names rendered phonetically or transliterated are enclosed in parentheses. Words or names preceded by a question mark and enclosed in parentheses were not clear in the original but have been supplied as appropriate in context. Other unattributed parenthetical notes within the body of an item originate with the source. Times within items are as given by source.

The contents of this publication in no way represent the policies, views or attitudes of the U.S. Government.

PROCUREMENT OF PUBLICATIONS

JPRS publications may be ordered from the National Technical Information Service (NTIS), Springfield, Virginia 22161. In ordering, it is recommended that the JPRS number, title, date and author, if applicable, of publication be cited.

Current JPRS publications are announced in Government Reports Announcements issued semimonthly by the NTIS, and are listed in the Monthly Catalog of U.S. Government Publications issued by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

Correspondence pertaining to matters other than procurement may be addressed to Joint Publications Research Service, 1000 North Glebe Road, Arlington, Virginia 22201.

Soviet books and journal articles displaying a copyright notice are reproduced and sold by NTIS with permission of the copyright agency of the Soviet Union. Permission for further reproduction must be obtained from copyright owner.

22 November 1983

USSR REPORT
POLITICAL AND SOCIOLOGICAL AFFAIRS
No. 1479
BASIC DOCUMENTS OF SOVIET
CORRECTIVE LABOR LEGISLATION
CONTENTS

USSR Fundamentals of Corrective Labor Legislation (OSNOVY ISPRAVITEL'NO-TRUDOVOGO ZAKONODATEL'STVA SOYUZA SSR I SOYUZNYKH RESPUBLIK, 1970).....	1
RSFSR Corrective Labor Code and Subsequent Amendments (VEDOMOSTI VERKHOVNOGO SOVETA RSFSR, 24 Dec 70).....	29
Amendments to the RSFSR Corrective Labor Code 1973 (VEDOMOSTI VERKHOVNOGO SOVETA RSFSR, various dates).....	81
Amendment No 1	
Amendment No 2	
Amendment No 3	
Amendments to RSFSR Corrective Labor Code 1983 (SOVETSKAYA YUSTITSIYA, No 8, Apr 83).....	91

USSR FUNDAMENTALS OF CORRECTIVE LABOR LEGISLATION

Moscow OSNOVY ISPRAVITEL'NO-TRUDOVOGO ZAKONODATEL'STVA SOYUZA SSR I SOYUZNYYKH RESPUBLIK [Fundamentals of Corrective Labor Legislation of the USSR and Union Republics] Yuridicheskaya literatura, 1970, pp 1-39

[Text] On the Procedure for the Implementation of the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics. Decree of the Presidium of the USSR Supreme Soviet, dated 6 October 1969. (VEDOMOSTI VERKHOVNOGO SOVETA SSSR, 1969, No 41, Art 365).

In conformity with the Law of the USSR of 11 July 1969, "On the Confirmation of the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics" (VEDOMOSTI VERKHOVNOGO SOVETA SSSR, 1969, No 29, Art 247), the Presidium of the USSR Supreme Soviet decrees:

1. Pending the bringing of the legislation of the USSR and the union republics into conformity with the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics, the all-union and republic legislative and other normative acts now in effect, which establish the procedure and conditions for serving penalties and the application of measures of corrective labor influence on people sentenced to deprivation of freedom, exile, deportation and corrective labor without deprivation of freedom, as well as the procedure for the activity of institutions and organs carrying out the sentences for these types of punishment, and the participation of the public in the correction and reeducation of those sentenced, are applied, insofar as these acts do not contradict the Fundamentals of Corrective Labor Legislation of the USSR and the union republics.
2. To establish that individuals sentenced to deprivation of freedom with the serving of the penalty in corrective labor or educative labor colonies, in cases provided for by Arts 12 and 17 of the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics, may be kept in the investigation isolator or in prison or transferred to them from the colonies also with the approval of the military procurator of the military districts, fleets, groups, troops and types of Military Services of the USSR for periods of up to 2 months and with the approval of the Chief Military Procurator--for up to 4 months.
3. For those sentenced who have reached the age of 18 and who, in accordance with part 2 of Art 18 of the Fundamentals of Corrective Labor Legislation of

the USSR and Union Republics, are retained in educational labor colonies, the regime, working conditions, feeding norms and everyday material provision established for underage convicts are applied.

4. Pending the adoption of corrective labor codes of the union republics in conformity with Art 23 of the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics, to establish that persons sentenced to deprivation of freedom are permitted to spend money for the acquisition of food products and basic necessities on the following scale per month: In the general-regime corrective labor colonies--up to 7 rubles, in the strengthened-regime [usilenny rezhim]--up to 6 rubles, in the strict-regime colonies [strogiy rezhim]--up to 5 rubles, and in the special-regime [osoby rezhim] colonies--up to 4 rubles; in the general-regime educational-labor colonies--up to 7 rubles, in the stricter-regime colonies--up to 5 rubles; in general-regime prisons--up to 3 rubles, in severe-regime prisons--up to 2 rubles.

For good conduct and an honest attitude toward labor, convicts, after having served no less than half of their penalty term, may in addition be allowed to spend per month: In the general-regime corrective labor colonies--4 rubles, in strengthened-regime colonies--3 rubles, in strict-regime colonies--2 rubles, and in special-regime colonies--1 ruble; in prisons--1 ruble; in general-regime educational-labor colonies, after the serving of one-fourth of the penalty term by the convicts--3 rubles, in stricter-regime colonies, after the serving of one-third of the penalty term by the convicts--2 rubles.

Convicts overfulfilling the output norms may in addition be allowed to spend 2 rubles per month, and those overfulfilling the output norms in heavy labor or in work in colonies located in the regions of the Extreme North and equivalent regions--4 rubles a month.

5. Pending the adoption of corrective labor codes of the union republics in conformity with Art 25 of the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics, to establish that convicts being kept in corrective labor colonies, after having served half of their penalty term, are permitted to receive in the course of a year: In general-regime colonies--three parcels of transmittals, in strengthened-regime colonies--two parcels or transmittals, in strict and special-regime colonies--one parcel or transmittal; convicts being kept in educational-labor colonies are allowed to receive in the course of a year: In general-regime colonies--six parcels of transmittals, in stricter-regime colonies--five parcels or transmittals.

The weight of one parcel or transmittal may not exceed 5 kilograms.

6. To establish that a change of the conditions of the detention of convicts within the limits of one corrective labor institution, provided for by Art 22 of the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics, entails the simultaneous allotment of improved conditions of detention in accordance with the provisions of part 3 of Art 24 of the Fundamentals and part 2 of Art 4 of the present Decree, and likewise the simultaneous abrogation of all improved conditions of detention in cases provided

for by Art 34 of the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics.

7. To charge the State Committee for Labor and Wages of the USSR Council of Ministers, jointly with the AUCCTU, upon agreement with the USSR Procuracy and the USSR Supreme Court, in accordance with part 3 of Art 44 of the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics, with the establishment of the procedure and form of entries in the labor books of persons convicted to corrective labor without deprivation of freedom.

On the Confirmation of the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics

Law of the Union of Soviet Socialist Republics
of 11 July 1983

(VEDOMOSTI VERKHOVNOGO SOVETA SSSR, 1969, No 29, Art 247)

The USSR Supreme Soviet decrees:

Art 1. To confirm the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics and to make them effective as of 1 November 1969.

Art 2. To charge the Presidium of the USSR Supreme Soviet with the establishment of the procedure for implementing the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics and to bring the legislation of the USSR in conformity with these Fundamentals.

Art 3. To charge the Supreme Soviets of the union republics with bringing the legislation of the union republics in conformity with the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics.

Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics

Part I

Corrective Labor Legislation of the USSR and the Union Republics

Article 1. The Tasks of Soviet Corrective Labor Legislation

Corrective labor legislation has as its object the guarantee of the carrying out of criminal punishment in order for it to be not only a penalty for the crime that has been committed, but also to correct and reeducate convicts in the spirit of a conscientious attitude toward work, the precise execution of the laws and respect for the rules of the socialist community, to prevent the commission of new crimes, both by the convicts and by other persons, as well as to promote the eradication of criminality.

The carrying out of punishment does not have the aim of inflicting physical suffering or the humiliation of human dignity.

Article 2. The Corrective Labor Legislation of the USSR and the Union Republics

The corrective labor legislation of the USSR and the union republics consists of the present Fundamentals, which set forth the principles and establish the general provisions for the carrying out and serving of criminal punishment fixed by a court, of other laws of the USSR, as well as the corrective labor codes and other laws of the union republics.

The procedure and conditions for serving a penalty and the application of measures of corrective labor influence to persons sentenced to deprivation of freedom, exile, banishment and corrective work without deprivation of freedom, as well as the activity of institutions and organs carrying out the sentences for these types of punishment and the participation of the community in the correction and reeducation of convicts, are established by the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics, other laws of the USSR, as well as the corrective labor codes and other laws of the union republics.

The procedure and conditions for serving a penalty by persons sentenced to be sent to a disciplinary battalion are established by legislation of the USSR.

The procedure and conditions for the execution and serving of other types of criminal punishment are established by legislation of the USSR and legislation of the union republics.

Article 3. The Application of Corrective Labor Legislation of the USSR and the Union Republics

With respect to persons sentenced to deprivation of freedom, exile and corrective work without deprivation of freedom, the corrective labor legislation of the USSR and the union republic on whose territory the convict serves the penalty is applied, and with respect to those sentenced to other types of punishment--the corrective labor legislation of the USSR, as well as of the union republic of the place of sentencing.

Article 4. The Basis for Serving a Penalty

Only the sentence of a court, which has entered into legal force, is the basis for the serving of a criminal sentence and the application of measures of corrective labor influence to convicts.

Part II

General Provisions for the Carrying Out of Penalties in the Form of Deprivation of Freedom, Exile, Banishment and Corrective Work Without Deprivation of Freedom

Article 5. The Institutions and Organs Which Carry Out Court Sentences to Deprivation of Freedom, Exile, Banishment and Corrective Work Without Deprivation of Freedom

Court sentences to deprivation of freedom, exile, banishment and corrective work without deprivation of freedom are carried out by corrective labor

institutions and organs of the USSR Ministry of Internal Affairs and the Ministries of Internal Affairs of the union republics.

Corrective labor institutions are organized and liquidated by the USSR Ministry of Internal Affairs and the Ministries of Internal Affairs of the union republics.

Article 6. The Places for the Serving of Penalties

Persons sentenced for the first time to deprivation of freedom, as a rule, serve the penalty within the bounds of the union republic on whose territory they lived prior to their arrest or were sentenced. In exceptional cases, for purposes of more successful correction and reeducation of the convicts, they may be sent to appropriate corrective labor institutions of another union republic to serve their penalty.

Persons who have previously served a penalty in the form of deprivation of freedom, convicts who have had their punishment in the form of the death sentence commuted to deprivation of freedom by way of pardon or amnesty, those convicted of especially dangerous state crimes, as well as foreigners and persons without citizenship who have been convicted, are sent, for the serving of their punishment, to corrective labor institutions which have been designated for the detention of these categories of convicts, regardless of the union republic in which they lived prior to their arrest or were sentenced.

Women sentenced to deprivation of freedom, persons in need of special medical treatment, and minors, in the case of the absence of an appropriate corrective labor institution in the union republic where they lived prior to their arrest or were sentenced, may be sent to a corrective labor institution of another union republic to serve their penalty.

The list of localities in which persons sentenced to exile serve their penalty, as well as the list of localities in which persons sentenced to banishment are prohibited to live, are established by the USSR Council of Ministers and the Councils of Ministers of the union republics.

Those sentenced to corrective work without deprivation of freedom serve their penalty in accordance with the place of work or in other places of the rayon in which they reside.

Article 7. The Basic Means of the Correction and Reeducation of Convicts

The basic means of the correction and reeducation of convicts are: the regime of serving the penalty, socially useful labor, political education work, general education and professional-technical training.

The means of correction and reeducation must be applied with regard for the character and level of the social danger of the crime committed, the personality of the convict, as well as the conduct of the convict and his attitude to work.

Article 8. The Legal Status of Persons Serving a Penalty in the Form of Deprivation of Freedom, Exile, Banishment and Corrective Work Without Deprivation of Freedom

Persons serving a penalty in the form of deprivation of freedom, exile, banishment, and corrective work without deprivation of freedom bear the responsibilities and enjoy the rights established by legislation for citizens of the USSR, with the limitations provided for by legislation for convicts, as well as emanating from the court sentence and the regime established by the present Fundamentals and the corrective labor codes of the union republics for the serving of a penalty of a given type.

The legal status of foreigners and persons without citizenship who are serving a penalty in the form of deprivation of freedom, exile, banishment, and corrective work without deprivation of freedom, is determined by legislation of the USSR which sets forth the rights and duties of these persons while they are on the territory of the USSR, with the limitations provided for by legislation for convicts, as well as emanating from the court sentence and the regime established by the present Fundamentals and the corrective labor codes of the union republics for the serving of a penalty of a given type.

Article 9. The Participation of the Public in the Correction and Reeducation of Convicts

The public participates in the correction and reeducation of convicts, as well as in the realization of public control over the activity of the institutions and organs which carry out court sentences to deprivation of freedom, exile, banishment, and corrective work without deprivation of freedom.

The forms and procedure for the participation of the public in the correction and reeducation of convicts are established by legislation of the union republics.

Article 10. The Procurator's Supervision of the Execution of Punishment

Supervision of the precise observance of the laws in the carrying out of sentences to deprivation of freedom, exile, banishment, and corrective work without deprivation of freedom is carried out by the USSR Procurator General and the procurators subordinated to him in accordance with the Statute on Procuratorial Supervision in the USSR. In carrying out in the name of the state the highest supervision of the observance of legality, the procurator is obligated to take timely measures for the prevention and elimination of any violations of the law, regardless of the origin of these violations, and to call to account those who are guilty.

The administration of corrective labor institutions and the organs which carry out court sentences to exile, banishment, and corrective work without deprivation of freedom, are obligated to carry out the decrees and proposals of the procurator with respect to the observance of the rules for serving a penalty established by the corrective labor legislation of the USSR and the union republics.

Part III

Procedure and Conditions for the Carrying Out of Punishment in the Form of Deprivation of Freedom

Article 11. Types of Corrective Labor Institutions

Corrective labor institutions which carry out punishment in the form of deprivation of freedom are: corrective labor colonies, prisons and educational labor colonies.

Adult persons, sentenced to deprivation of freedom, serve their punishment in corrective labor colonies or in prison, and minors under the age of 18--in educational labor colonies.

Corrective labor colonies are the basic type of corrective labor institution for the detention of those sentenced to deprivation of freedom who have reached adult age.

The type of corrective labor institution and the appropriate regime in which the convicts serve their penalty is determined by the court on the basis of Article 23 of the Fundamentals of Criminal Legislation of the USSR and the Union Republics.

Article 12. The Dispatch of Those Sentenced to Deprivation of Freedom to Serve Their Penalty

Persons sentenced to deprivation of freedom are sent to serve their penalty no later than 10 days after the sentence has entered into legal force or after it has been turned over for execution. The procedure for sending convicts to the corrective labor institutions is determined by the USSR Ministry of Internal Affairs in accordance with Article 6 of the present Fundamentals.

If necessary for the conduct of investigations in a case involving a crime committed by another person, an individual sentenced to deprivation of freedom and serving his penalty in a corrective labor or educational labor colony may be kept in the investigation isolator or in prison with the approval of the procurator of the oblast, kray, autonomous republic for a term of up to 2 months, with the approval of the procurator of a union republic--up to 4 months, and with the approval of the USSR Procurator General--up to 6 months.

In the case of a convict being held criminally responsible in connection with another case and a measure of suppression is chosen with respect to him in the form of commitment, the terms of keeping him in the investigation isolator are determined in accordance with Art 34 of the Fundamentals of Criminal Procedure of the USSR and the union republics.

In exceptional cases in a procedure established by the corrective labor codes of the union republics, persons sentenced for the first time to deprivation of freedom for crimes which are not serious and who have been designated to serve their penalty in corrective labor colonies of the general-regime type, may, with their agreement, be kept in prison or in the investigation isolator for domestic service work.

Article 13. The Separate Detention of Convicts in Corrective Labor Institutions

In corrective labor institutions, separate detention is established for men and women, minors and adults.

Men sentenced to deprivation of freedom for the first time are confined separately from those who have previously served [a sentence of] deprivation of freedom, those sentenced for the first time for crimes which are not serious--from those sentenced for the first time for serious crimes; women sentenced to deprivation of freedom and minors are confined separately in accordance with the rules provided for by Arts 14 and 16 of the present Fundamentals. The following are confined in isolation from other convicts and also separately: those convicted of especially dangerous state crimes; especially dangerous recidivists; those whose punishment in the form of the death sentence has been commuted to deprivation of freedom by way of pardon or amnesty. Convicted foreigners and persons without citizenship are confined separately, as a rule, from convicted citizens of the USSR.

The corrective labor codes of the union republics may provide for the separate detention of other categories of convicts.

The requirements for the separate confinement of convicts established by this article do not extend to the medical institutions of places of detention. The procedure for confining convicts in these medical institutions is determined by the USSR minister of internal affairs with the consent of the USSR Procuracy.

Article 14. Corrective Labor Colonies

Corrective labor colonies are divided into general-regime colonies, strengthened-regime colonies, strict-regime colonies, special-regime colonies, and colony settlements.

Men sentenced to deprivation of freedom serve their penalty in corrective labor colonies: General-regime--those convicted for the first time for crimes which are not serious; strengthened-regime--those convicted for the first time for serious crimes; strict-regime--those convicted for especially dangerous state crimes or those who previously served a penalty in the form of deprivation of freedom; special-regime--those who are acknowledged to be especially dangerous recidivists and convicts whose punishment in the form of the death penalty has been commuted to deprivation of freedom by way of pardon or amnesty.

Women sentenced to deprivation of freedom serve their penalty in corrective labor colonies of the general-regime and strict-regime type. In strict-regime colonies, women serve their sentence who are convicted of especially dangerous state crimes or who are acknowledged as especially dangerous recidivists, and women whose penalty in the form of the death sentence has been commuted to deprivation of freedom by way of pardon or amnesty.

In the colony settlements, persons serve their sentence who have firmly entered upon the path of correction, who are transferred to these colonies, following

the procedure provided for by Art 33 of the present Fundamentals, from general-regime, strengthened-regime and strict-regime colonies.

Article 15. Prisons

The following serve their punishment in prisons: Persons convicted for serious crimes and especially dangerous recidivists, whose deprivation of freedom has been designated in the form of imprisonment, as well as persons who have been transferred from corrective labor colonies for reasons provided for by Art 34 of the present Fundamentals.

Persons also serve their punishment in prisons who are kept in prison, following the procedure established by Art 12 of the present Fundamentals, for domestic service work.

Two types of regimes are established in the prisons: General and strict. In the general-regime prison persons are detained who are sentenced to imprisonment for the first time, and persons who were transferred from a strict-regime prison.

The following are detained in strict-regime prisons: Persons who have previously served a prison sentence; persons sentenced to imprisonment for crimes committed in places of deprivation of freedom; persons transferred in accordance with established procedure to the strict regime as a punishment measure.

The term of detention at strict regime is established within the limits of 2 to 6 months following the procedure set forth by the corrective labor codes of the union republics.

Pregnant women, as well as women with children who are still nursing, may not be detained in strict-regime colonies.

Article 16. Educational Labor Colonies

Educational labor colonies divided into general-regime and strengthened-regime colonies.

The following serve their penalty in educational labor colonies of the general-regime type: Minors convicted for the first time for crimes which are not serious, and all female convicts who are minors; in strengthened-regime colonies--minors who have previously served a penalty in the form of deprivation of freedom, as well as those who are convicted of serious crimes, in cases provided for by the legislation of the USSR and the union republics.

Article 17. The Convicts Serving the Entire Term of Punishment in One Corrective Labor Institution

A person sentenced to deprivation of freedom must serve the entire term of punishment, as a rule, in one corrective labor colony, prison or educational labor colony.

The transfer of a convict for further serving of punishment from one colony to another of the same type of regime or from one prison to another is permitted in the case of his illness or in the presence of a substantial change in the volume or character of the work being performed by the convicts, as well as in the presence of other exceptional circumstances which prevent the further confinement of a convict in the given colony or prison. The procedure for the transfer of convicts is determined by the USSR Ministry of Internal Affairs with the consent of the USSR Procuracy.

The transfer of a convict from one colony to another colony with a different type of regime, from a colony to a prison, and also from a prison to a colony may be effected by a court on grounds provided for by Arts 18, 33 and 34 of the present Fundamentals.

The transfer of a convict from a corrective labor institution to an investigation isolator or prison is permitted:

- in connection with the examination of a court case--upon the determination of the court--for the duration of the examination of the case;
- in connection with the proceeding of an investigation in the case of a crime committed by another person--with the approval of the procurator of the oblast, kray, autonomous republic for a period of up to 2 months, with the approval of the procurator of a union republic--up to 4 months, and with the approval of the USSR Procurator General--up to 6 months.

Article 18. Transfer of Convicts from Educational Labor Colonies to Corrective Labor Colonies

Convicts who have reached the age of 18 are transferred from an educational labor colony to a corrective labor colony for the further serving of their punishment; those detained in an educational labor colony of the general-regime type--to a general-regime corrective labor colony; those detained in a strengthened-regime educational labor colony--to a general-regime or strengthened-regime corrective labor colony, depending on the level of the social danger of the crime committed, the personality and conduct of the convict.

In order to reinforce the results of correction and reeducation, the completion of general education or professional-technical training, convicts, who have reached the age of 18, in cases and following the procedure provided for by law, may be kept in an educational labor colony until the end of their term of punishment, but not beyond the age of 20.

The question of the transfer, to a corrective labor colony, of a convict who has reached the age of 18 is decided by a court following the procedure established by legislation of the USSR and the union republics.

Article 19. Basic Regime Requirements in Places of Detention

The basic requirements with respect to the regime in places of detention are: mandatory isolation of the convicts and constant supervision of them in order to make it impossible for them to commit new crimes or other anti-social acts;

the precise and steadfast carrying out of their obligations; different conditions of detention, depending on the character and level of the social danger of the crime committed, the personality and the conduct of the convict.

Convicts wear clothes of the same pattern and are subject to search. The correspondence of convicts is subject to censorship, and parcels and transmittals --to examination.

Convicts serving a penalty in corrective labor colonies of the special-regime type are kept in cell-type premises and wear clothes of a special pattern.

In corrective labor institutions a strictly regulated internal order is established.

Convicts are prohibited from having in their possession money and valuable objects, as well as objects whose use is prohibited in corrective labor institutions. Money and valuable objects discovered in the possession of convicts are confiscated and, as a rule, turned over as income to the state, upon the reasoned decision of the head of the corrective labor institution and approved by the procurator.

Following the procedure established by the present Fundamentals and the corrective labor codes of the union republics, convicts are allowed to obtain, by written order, food products and basic necessities, to receive visits, to receive parcels and transmittals, to send and to receive money transfers, and to conduct correspondence.

Article 20. Special Characteristics of the Regime in Corrective Labor Colony Settlements

In corrective labor colony settlements, the convicts:

- are kept without guard, but under supervision;
- during the hours from rising to retirement, have the right of free movement within the bounds of the entire territory of the colony;
- with permission of the administration of the colony, may move without supervision outside the territory of the colony, but within the limits of the oblast, kray, autonomous republic or union republic which does not have an oblast division, if this is necessary in terms of the character of the work being carried out by them or in connection with training.
- may wear clothing accepted in civilian use, have money and valuable objects in their possession, and make use of money without limitations;
- with permission of the administration of the colony and in the presence of housing conditions, may live in the colony with their families, acquire housing in conformity with the legislation in effect, and start a personal household on the territory of the colony.

In colony settlements alone, convicted men and women may be kept, regardless of the type of colony and regime in which they were confined previously.

Article 21. Special Characteristics of the Regime in Prisons

Convicts are kept in prisons in common cells. In necessary cases, upon the reasoned decision of the head of the prison and with the consent of the procurator, convicts may be confined in solitary cells.

Convicts who are confined in a general-regime prison are allowed a daily walk of 1-hour duration, and those confined in strict regime--of 30-minute duration.

Convicts confined in accordance with Art 12 of the present Fundamentals for domestic service work have the right to use money, receive short-term visits, parcels and transmittals according to the norms established for convicts confined in general-regime corrective labor colonies.

Article 22. Change in the Conditions of Confinement of Persons Sentenced to Deprivation of Freedom During the Serving of a Sentence

Depending on the conduct and attitude toward labor, the conditions of confinement of convicts may be changed, both within the confines of one corrective labor institution and through the transfer to other corrective labor institutions.

A change in the conditions of the confinement of convicts within the bounds of one corrective labor institution is effected upon the decision of the head of the corrective labor institution.

A change in the conditions of confinement of convicts through their transfer from one corrective labor colony to another colony with a different regime, from a colony to a prison, or from a prison to a colony, is effected by a court on the grounds established by Arts 33 and 34 of the present Fundamentals.

Article 23. The Acquisition of Food Products and Basic Necessities by Convicts

Convicts are allowed to obtain food products and basic necessities for money earned in places of detention, and convicts who are not able to work, pregnant women, nursing mothers and minors--also for money received by transfers. The sum of money allowed for expenditure is determined by the corrective labor codes of the union republics in an amount not to exceed 15 rubles per month, taking into account the type of corrective labor institution, the regime established in it, the term of punishment served, conduct, attitude toward labor, character of the work being carried out, and climatic conditions.

Article 24. Visits of Those Sentenced to Deprivation of Freedom With Relatives and Other People

Convicts are granted visits: short-term visits of up to 4 hours in length, and long visits of up to three 24-hour periods. Short-term visits are granted with relatives and other persons in the presence of a representative of the corrective

labor institution. Long visits are granted with the right of joint habitation and only with close relatives.

In the course of a year the following visits are granted: In general-regime corrective labor colonies--three short-term and two long visits, in strengthened-regime--two short-term and two long visits, in strict-regime--two short-term and one long visit, in special-regime--one short-term and one long visit; in general-regime educational labor colonies--six short-term, in strengthened-regime--four short-term visits; in prisons: two short-term visits for those confined in general regime; in corrective labor colony settlements--without limitation.

Given good conduct and an honest attitude toward labor, convicts, upon having served no less than one-half of their term of punishment, may be permitted in addition in the course of a year: in corrective labor colonies--one long visit, and, in case the convicts do not have close relatives, one short-term visit; in general-regime educational labor colonies, after the serving of one-fourth of the term of punishment by the convicts--six short-term visits, in strengthened-regime colonies, after the serving of one-third of the term of punishment--two short-term visits.

Article 25. The Receipt of Parcels and Transmittals by Those Sentenced to Deprivation of Freedom

Having served one-half of their term of punishment, convicts being confined in corrective labor colonies are allowed to receive up to three parcels or transmittals per year.

Convicts serving a penalty in educational labor colonies are allowed to receive up to six parcels or transmittals per year.

The number and weight of the parcel and transmittals is established depending on the type of regime of the colonies by the corrective labor codes of the union republics.

Convicts serving a sentence of deprivation of freedom in prisons are not permitted to receive parcels and transmittals.

Regardless of the type of regime designated for them, convicts are allowed to receive no more than two shipments of printed matter per year, as well as the purchase of literature through the book trade network without limitation.

In the corrective labor colony settlements the number of parcels, transmittals and shipments of printed matter being received by the convicts is not limited.

Article 26. The Correspondence of Persons Sentenced to Deprivation of Freedom

Convicts are allowed to receive letters without limitation of their quantity.

The number of letters which convicts may be sent is limited by the following norms: in strengthened-regime labor colonies--no more than three letters per

month, in special-regime--one letter per month; in prison: in general-regime--one letter per month, in strict-regime--one letter in 2 months.

Convicts who are serving a penalty in corrective labor colonies of the general regime type, in corrective labor colony settlement, and in educational labor colonies, may send letters without limitation of their quantity.

Correspondence between convicts confined in places of detention, who are not relatives, is prohibited.

Convicts have the right to address complaints, statements and letters to state organs, public organizations and officials. Complaints, statements and letters of convicts are sent to the proper quarters and are settled in accordance with the procedure established by law.

Complaints, statements and letters addressed to the procurator are not subject to examination and are sent to the proper quarters within 24 hours.

Article 27. The Labor of Persons Deprived of Freedom

Every convict is obligated to work. The administration of the corrective labor institutions is obligated to secure the involvement of the convicts in socially useful labor, taking into account their work capacity and, to the extent possible, their specialty. Those serving a penalty in special-regime corrective labor colonies, as a rule, are used for heavy work. Convicts are involved in work, as a rule, in enterprises of the corrective labor institutions.

The production and economic activity of corrective labor institutions must be subordinated to their basic task--the correction and reeducation of convicts.

Article 28. The Conditions of Work of Persons Deprived of Freedom

For persons serving a penalty in corrective labor colonies and prisons, an 8-hour work day is established; they are granted one day of rest per week. Following the procedure provided for by labor legislation, convicts are freed from work on holidays.

The length of the work day of convicts serving a penalty in corrective labor colony settlements and in educational labor colonies, as well as the granting of weekly days of rest to them, are established on general principles in conformity with labor legislation.

Persons who are deprived of freedom do not have a right to holiday leave during the period of serving their penalty.

The work time of convicts during the period during which they serve a penalty in the form of deprivation of freedom is not taken into consideration in terms of length of labor service.

The labor of convicts is organized with the observance of labor safety rules and safety technology established by labor legislation.

Persons who have lost the ability to work while serving a sentence after they are released from punishment, have the right to a pension and to compensation for injury in the cases and following the procedure established by legislation of the USSR.

Article 29. Payment for the Labor of Persons Deprived of Freedom

The labor of persons deprived of freedom is paid in accordance with its quantity and quality according to the norms and rates effective in the national economy. The crediting of wages to convicts is effected with regard for partial compensation by them of expenditures for the maintenance of the corrective labor institutions.

Persons serving a penalty in corrective labor colonies and prisons reimburse, from the wages credited to them, the cost of food and clothing, with the exception of overalls. After reimbursement of these expenditures from the wages credited, deductions are made according to court orders and other court documents following the procedure provided for by the legislation of the union republics.

In corrective labor colonies and prisons, the personal account of the convicts not allowing violations of the regime and fulfilling the output norms or the established tasks must be credited with no less than 10 percent, regardless of all deductions, and the personal account of invalids of the first and second group not allowing violations of the regime--with no less than 25 percent of the monthly wages credited to them. In educational labor colonies, the personal account of the convicts not allowing violations of the regime, regardless of all deductions, must be credited with no less than 45 percent of the monthly wages credited to them.

Persons serving a sentence in corrective labor colony settlements, regardless of all deductions, must be paid no less than 50 percent of the total sum of their earnings.

The conditions and procedure for the payment of the labor of persons who have been deprived of freedom are determined by the USSR Council of Ministers.

Following the procedure established by the present Fundamentals and the corrective labor codes of the union republics, convicts may be involved in labor without payment only for work on the organization of public services and amenities of the places of detention and the territories adjacent to them, as well as on the improvement of the cultural and domestic services of the convicts.

Article 30. Political Education Work With Persons Deprived of Freedom

With persons deprived of freedom, political education is conducted which is aimed at educating them in the spirit of an honest attitude toward work, the precise execution of laws, and respect for the rules of the socialist society, and a careful attitude toward socialist property, at an increase of consciousness and cultural level, and at the development of useful initiative of the convicts.

The participation of convicts in political education measures is encouraged and is taken into consideration in the determination of the level of their correction and reeducation.

Article 31. General Education and Vocational-Technical Training of Persons Deprived of Freedom

Mandatory eighth grade general education instruction of convicts takes place in corrective labor institutions.

For convicts without a professional specialty mandatory vocational-technical instruction is organized.

Convicts who are over 40 years of age are involved in general education instruction, and invalids of the first and second group also in vocational-technical training, if they so desire.

The organization of general education and vocational-technical instruction of persons deprived of freedom is carried out following the procedure established by the USSR Council of Ministers.

Article 32. Self-Initiated Organizations in Places of Detention

For the purpose of the development of habits of collectivism among the convicts serving a sentence in places of detention and the encouragement of their useful initiative, as well as the utilization of the influence of the collective on the correction and reeducation of the convicts in corrective labor institutions, self-initiated organizations of convicts are created, which operate under the guidance of the administration of these institutions.

The types of self-initiated organizations and the procedure for their work are determined by the corrective labor codes of the union republics.

Article 33. Incentive Measures Applied to Persons Deprived of Freedom

For good conduct and a conscientious attitude toward work and study, the following incentive measures may be applied to convicts:

- announcement of thanks;
- publication of the names of the leaders of production;
- award of a certificate of honor;
- bonus payment for the best indices of work;
- permission to receive an additional parcel or transmittal per year;
- granting an additional short-term or long visit per year;
- permission to spend additional money in the amount of up to 2 rubles for the purchase of food products and basic necessities during holidays, and in educational labor colonies in the amount of up to 2 rubles per month;
- early remission of a sentence previously imposed;
- transfer to a special-regime corrective labor colony of convicts who have served no less than one-third of their term of punishment, from cell-type premises to the usual housing premises in the same colony;

--increase of the time allotted for exercise for convicts confined in prison on general regime--up to 2 hours, on strict regime--up to 1 hour.

The procedure for the application of incentive measures is established by the corrective labor codes of the union republics.

Following the procedure established by the legislation of the USSR and the union republics, convicts who have firmly embarked upon the path of correction may be presented for transfer for the further serving of their punishment:

- from a prison to a corrective labor colony--after serving no less than half of the term of imprisonment designated by the court sentence;
- from a special-regime corrective labor colony to a strict-regime colony--after serving no less than half of the term of punishment in the special-regime colony;
- from corrective labor colonies of the general, strengthened, and strict-regime type to the colony settlement--after serving no less than half of the term of punishment, if by law a conditional early release may be applied to them, and after serving no less than two-thirds of the term of punishment, if conditional early release by law may not be applied to them.

Convicts, who have demonstrated their correction by exemplary conduct and a conscientious attitude toward work and study, following the procedure established by law, may be presented for conditional early release or the commutation of the unserved part of their sentence to a milder punishment.

Article 34. Penalty Measures Applied to Persons Deprived of Freedom

The following penalty measures may be applied to convicts for the violation of the requirements of the conditions of serving a penalty:

- warning or reprimand;
- out-of-turn duty in regard to cleaning the premises and territory of the place of detention;
- one-time deprivation for convicts confined in educational-labor colonies of their right to attend a movie, concert, or to participate in sports events;
- deprivation of the next visit;
- deprivation of the right to receive the next parcel or transmittal and the prohibition to purchase food products for a period of up to 1 month;
- the revocation of improved conditions of confinement provided for by Arts 23, 24 and 25 of the present Fundamentals;
- the placement of convicts confined in corrective labor colonies in the penalty isolator, with or without removal for work or study for a period of fifteen 24-hour periods, and those confined in educational labor colonies--in the discipline isolator for a term up to ten 24-hour periods;
- the placement of convicts confined in prisons in a punishment cell, without removal for work or study for a term of up to fifteen 24-hour periods;
- transfer of convicts confined in general, strengthened, and strict-regime corrective labor colonies to cell-type premises for a term of up to 6 months, in special-regime colonies--to solitary cells for a term of up to 1 year, and in prisons--to the strict regime for a period established by Art 15 of the

present Fundamentals; transfer of convicts confined in ordinary housing premises of a special-regime colony to cell-type premises in the same colony.

In cell-type premises of corrective labor colonies a regime is established which is envisaged for the confinement of convicts on the strict regime in prison.

Women who are nursing children and women released from work because of pregnancy are not placed in the penalty isolator, in cell-type premises, and in prison in the punishment cell and on the strict regime.

The procedure for the application of penalty measures to convicts is established by the corrective labor codes of the union republics.

Following the procedure established by the legislation of the USSR and the union republics, convicts maliciously violating the requirements of the regime may be presented for transfer for the serving of their punishment from colony settlements to a corrective labor colony of the type of regime previously determined for them by the court; convicts who were transferred from a special-regime colony to a strict-regime colony--to a special-regime colony; from a corrective labor colony--to prison for a period of no more than 3 years, with the serving of the remaining term of punishment in a colony; from an educational labor colony of the general-regime type--to an educational labor colony of the strengthened regime type.

The penalties imposed must correspond to the severity and character of the crime of the convict.

If in the course of a year from the day of the serving of the penalty, the convict is not subjected to a new penalty, he is acknowledged as not having a penalty.

Article 35. The Material Responsibility of Persons Deprived of Freedom

Persons deprived of freedom bear material responsibility for material damages to the state, inflicted while serving their penalty, on a scale established by the legislation of the USSR and the union republics. The damage is recovered in accordance with the decision of the head of the corrective labor institution following the procedure established by the corrective labor codes of the union republics.

After the release of the convict from punishment, the damage not reimbursed by him during the time when he served his sentence may be recovered in accordance with a court decision following the procedure established by law.

In the case of material damage caused by a crime committed while serving a sentence, the recovery of the damage is effected on a general basis.

Article 36. The Everyday Material Maintenance of Persons Deprived of Freedom

Persons serving a penalty in places of deprivation of freedom are guaranteed the necessary housing and living conditions which correspond to the rules of sanitation and hygiene.

Convicts are given an individual berth and bedding. They are provided with clothing, underwear and footwear according to the season and with regard to the climatic conditions.

Convicts receive food which guarantees the normal vital activity of the organism. The food norms are differentiated depending on the climatic conditions of the location of the corrective labor institution, the character of the work being carried out by the convicts, and their attitude toward work. Persons placed in a penalty or discipline isolator, in a punishment cell, in cell-type premises, as well as in a solitary cell in a special-regime colony, receive food in accordance with reduced norms.

For pregnant women, nursing mothers and minors, as well as those who are ill, improved housing and living conditions are created and increased food norms are established.

Convicted women, who have a conscientious attitude toward work and observe the requirements of the regime, may be permitted by the administration of the corrective labor institution, with the consent of the supervisory commission, to live outside the colony during the time when they are released from work for pregnancy and childbirth, as well as up to the time when the child reaches the age of 2. The procedure for the residence of convicted women outside the colony is determined by the corrective labor codes of the union republics.

Convicts who are released from work for reasons of illness, pregnant women and nursing mothers are given food free of charge for the period of their release from work. Minors, as well as invalids of the first and second group, are given food and clothing free of charge. From convicts who maliciously evade work, the cost of food and clothing is recovered from funds they have in their personal accounts.

The norms for food and everyday material maintenance of persons deprived of freedom are established by the USSR Council of Ministers.

Article 37. Medical Service for Persons Deprived of Freedom

The necessary medical institutions are organized in places of detention.

Preventive medical and anti-epidemic work in places of detention is organized and conducted in conformity with public health legislation.

The procedure for extending medical aid to persons deprived of freedom, using the medical institutions of the public health organs and involving their medical personnel for this purpose is determined by the USSR Ministry of Internal Affairs and the USSR Ministry of Health.

In case of necessity, homes for children are organized in corrective labor colonies. Convicts may place their children up to the age of 2 in homes for children.

Article 38. Unescorted Movement of Persons Deprived of Freedom

In exceptional cases, convicts in corrective labor colonies who have firmly embarked on the path to correction, after serving no less than one-third of their penalty, and convicts to whom, in conformity with the law, conditional early release is not applied, after serving no less than two-thirds of their penalty term, may be allowed movement without escort beyond the bounds of the colony if this is necessary in terms of the character of the work being done by the convicts.

Convicts, who are confined in educational labor colonies and have firmly entered upon the path of correction and have served no less than 6 months of deprivation of freedom, may be allowed to move beyond the bounds of the colony without escort if this is necessary in terms of the character of the work being done by the convicts.

Unescorted movement beyond the bounds of the colony is not permitted for especially dangerous recidivists, those sentenced for especially dangerous state crimes, convicts whose punishment in the form of the death penalty has been commuted to deprivation of freedom by way of pardon or amnesty, as well as convicted foreigners and persons without citizenship. The unescorted movement of other categories of convicts, too, may be prohibited by the corrective labor codes of the union republics.

The unescorted movement of convicts is not permitted in the capitals of the union republics, in border and resort localities, as well as in other populated areas defined by the USSR Ministry of Internal Affairs.

The procedure for granting convicts the right to unescorted movement beyond the bounds of the colony is established by the corrective labor codes of the union republics.

Article 39. Security Measures and Grounds for the Use of Arms

If persons deprived of freedom offer physical resistance to employees of corrective labor institutions, behave violently or commit other violent acts, the use of handcuffs or straitjacket is allowed for the purpose of the aversion of the infliction of harm by them to those surrounding them and to themselves.

In the case of injury to themselves or those around them by a person deprived of freedom, or of another deliberate act directly threatening the life of employees of the corrective labor institutions or other persons, as well as in the case of escape from custody, the use of arms is permitted as an exceptional measure if the indicated acts cannot be stopped by other measures. In the case of the escape of women and minors, the use of weapons is not allowed.

The administration of a place of detention is obligated to inform the procurator immediately about every case of weapon use.

Part IV

Procedure and Conditions for the Carrying Out of Punishments in the Form of Exile, Banishment and Corrective Labor Without Deprivation of Freedom

Article 40. Procedure and Conditions for Serving Exile

Those sentenced to exile serve the penalty in localities designated for this purpose.

Those sentenced to exile, no later than 10 days after the day on which the sentence became legally effective or after the day on which it was turned over for execution, are sent at state expense to the place where they will serve their sentence with or without escort, following the procedure established by the legislation of the union republics. The time of being under escort while being sent to the place of exile must be counted toward the term of punishment at 1 day of being under escort for 3 days of exile.

The correction and reeducation of persons serving a sentence of exile are realized on the basis of their mandatory involvement in socially useful labor, taking into account their work capacity, and the conduct of political education work with them. For deviation from socially useful labor, the exiles bear responsibility on a general basis.

Within the limits of the administrative rayon determined for his residence, the exile selects the place of residence according to his discretion. The exile has the right to go beyond the borders of the administrative rayon only in cases provided for by the corrective labor codes of the union republics.

The procedure for serving a sentence of exile, the responsibility for the violation of the exile regime, as well as incentive measures applied to exiles, are established by the corrective labor codes of the union republics.

In accordance with the procedure established by law, persons who serve a sentence of exile and have demonstrated their correction by exemplary conduct and an honest attitude toward work may be presented for conditional early release or for commutation of the unserved part of their punishment to a milder penalty.

No later than 15 days from the day of the arrival of exiles in the place for serving their penalty, the executive committees of the local Soviets of Workers' Deputies secure work for them, taking into account their work capacity and, to the extent possible, their specialty, as well as living space, and in necessary cases extend material aid to them before they begin to work.

The directions of the executive committees of the local Soviets of Workers' Deputies about arranging work for exiles are mandatory for the managers of enterprises, institutions and organizations.

Article 41. Procedure and Conditions for Serving a Sentence of Banishment

Those sentenced to banishment, no later than 10 days from the day on which the sentence became legally effective or from the day on which it was turned over

for execution, are moved from their place of residence. The procedure for moving convicts from their place of residence is established by the corrective labor codes of the union republics.

Those banished select the place of work and place of residence according to their own discretion, with the exception of localities in which they are prohibited from living because of the court sentence.

In accordance with the procedure established by law, persons sentenced to banishment who have demonstrated their correction by exemplary conduct and a conscientious attitude toward work may be presented for conditional early release or for commutation of the unserved part of their punishment to a milder penalty.

The executive committees of the local Soviets of Workers' Deputies extend assistance to those who have been banished with respect to employment and the obtaining of living space.

The labor of persons serving a sentence of banishment is regulated on a general basis by labor legislation.

Article 42. Types of Corrective Work Without Deprivation of Freedom and the Procedure for Serving Them

Corrective work without deprivation of freedom is served in accordance with the court sentence at the place of work of the convict or in other places determined by the organs which carry out this type of punishment, but in the rayon of residence of the convict, with regard to his work capacity and, to the extent possible, his specialty. With respect to a minor, moreover, the necessity of securing the requisite supervisor of his conduct and his obtaining a production skill is taken into consideration.

Sentences to corrective work without deprivation of freedom are put into effect no later than 10 days from the day on which the sentence became legally effective or was turned over for execution.

The term of serving a sentence of corrective work without deprivation of freedom is calculated by the months and days during which the convict worked and deductions were made from his earnings. The time during which the convict did not work for valid reasons and wages were paid to him in accordance with the law, counts toward this term. Time of illness, time granted for leave to take care of the sick, as well as time spent on leave for pregnancy and childbirth counts toward the term of serving the penalty.

Article 43. Organization of the Carrying Out of Punishment in the Form of Corrective Work Without Deprivation of Freedom

The correction and reeducation of persons serving a sentence of corrective work without deprivation of freedom is realized on the basis of their participation in socially useful labor. The control of the conduct of convicts and the conduct of political education work with them is realized by the collectives of

the enterprises, institutions and organizations at the place where the penalty is served.

The organs in charge of the carrying out of this type of punishment send to work persons who are sentenced to corrective work in other places, and in necessary cases extend assistance in the employment of persons sentenced to corrective work at their place of work; realize the control of the correctness of the deductions being made from the earnings of the convicts, the observance--on the part of the administration of the enterprises, institutions and organizations--of the conditions of serving the penalty established by the corrective labor legislation of the USSR and the union republics; participate in the conduct of political education work with the convicts; and apply measures of incentive and punishment to them.

With respect to convicts who are being recognized as not able to work after passing of the sentence, the organs carrying out this type of punishment solicit the court in regard to the commutation of corrective work without deprivation of freedom to another, milder form of punishment.

Those sentenced to corrective work without deprivation of freedom are obliged to observe the established procedure for the serving of punishment and appear, when summoned, before the organs carrying out this type of punishment. In the case of failure to fulfill this requirement without valid reasons, the convict may be subject to a forced appearance in court.

Article 44. Conditions of Serving Corrective Work Without Deprivation of Freedom

From the earnings of those sentenced to corrective work without deprivation of freedom, deductions for state income are made during the course of serving the penalty on a scale established by the court sentence. The deductions are made from the entire sum of earnings, without exclusion of taxes and other payments from these sums, as well as regardless of the presence of claims against the convict based on executive documents.

During the course of the term of serving a sentence of corrective work without deprivation of freedom, the release of convicts from work at their own will is prohibited without the permission of the organs in charge of this type of punishment.

The time of serving a sentence of corrective work without deprivation of freedom does not count toward the general and continuous labor service of the convict, to which effect an entry is made in his work-book.

On the condition that there are conscientious work and exemplary conduct during the period of the serving of a sentence of corrective work without deprivation of freedom, this time may be included in the general labor service of the person serving the penalty, on the basis of a court decision in accordance with the procedure established by the legislation of the union republics.

Those sentenced to corrective work without deprivation of freedom during the

time of serving the penalty are not granted regular holiday leave. The time of serving the penalty is not included in the length of service giving the right to holiday leave and the receipt of benefits and long-service increments to earnings.

For persons serving a sentence of corrective work without deprivation of freedom, allowances for temporary work disability, pregnancy and childbirth are calculated from their earnings less the deductions designated by the court sentence.

Article 45. Incentive and Penalty Measures Applied to Persons Serving a Sentence of Corrective Work Without Deprivation of Freedom

To persons serving a sentence of corrective work without deprivation of freedom, incentive and penalty measures are applied in accordance with labor legislation.

Convicts, who have demonstrated their correction by exemplary conduct and a conscientious attitude toward work and study, may, in accordance with the procedure established by law, be presented for conditional early release or for commutation of the unserved part of their punishment to a milder punishment.

In the case of deviation from the serving of a penalty by persons sentenced to corrective work without deprivation of freedom, they may be given a warning by the organ carrying out this type of punishment. In the case of malicious deviation of convicts from the serving of the penalty, a request may be made by the organ carrying out this type of punishment to the court about replacing the unserved term of corrective work without deprivation of freedom with punishment in the form of deprivation of freedom.

Part V

Grounds for Release from the Serving of a Sentence; Assistance to Persons Released from Places of Detention; Their Supervision and Surveillance

Article 46. Grounds for Release from Serving a Penalty

Convicts are released from punishment upon serving the term of punishment and for other reasons established by law. If the term of punishment in the form of deprivation of freedom ends on a day of rest or on a holiday, the convict is released on the day before the day of rest or the day before the holiday.

Convicts who have developed a chronic mental or other serious illness preventing the further serving of their penalty, may be released by a court from the further serving of the penalty. The procedure for the release of such persons from the further serving of their penalty is determined by the legislation of the USSR and the union republics.

Article 47. Extension of Material Assistance to Persons Released from Punishment; Their Employment

Persons being released from places of detention are provided with free travel to their place of residence or work, as well as with food products or money for the journey in accordance with the established norms.

In the absence of clothing and footwear necessary for the season and means for acquiring them, persons being released are provided with clothing and footwear free of charge. They may be given a one-time cash allowance from the special fund.

The payment for travel of persons released from places of detention, their provision with food, clothing and footwear, as well as the payment of the one-time cash allowance, is made by the corrective labor institutions in accordance with the procedure established by the USSR Council of Ministers.

Persons who have been released from punishment must be provided with work, if possible with regard to the specialty they have, by the executive committees of the local Soviets of Workers' Deputies not later than 15 days after they have been asked for assistance with employment. In necessary cases, persons released from punishment are given living space.

The directions of the executive committees of the local Soviets of Workers' Deputies concerning the employment of persons released from punishment are mandatory for the managers of enterprises, institutions and organizations.

Invalids and persons of advanced age, on their request, are subject to placement in a home for invalids and the aged. Minors who do not have parents, in necessary cases, are sent to boarding schools or are turned over to guardianship by the commissions for the affairs of minors.

Article 48. Supervision of Persons Released Conditionally and Early from the Serving of Punishment

Persons who are released conditionally and early from the serving of punishment, for the duration of the unserved part of their punishment, are placed under the supervision of public organizations and labor collectives and educational work is conducted with these persons.

The procedure for the supervision of persons released conditionally and early from the serving of punishment is established by the legislation of the union republics.

Article 49. Administrative Surveillance of Persons Released from Places of Detention

For especially dangerous recidivists released from places of detention and for persons who have served a penalty for serious crimes, administrative surveillance by the organs of the militia is established if their conduct during the period of serving the punishment testifies to the persistent unwillingness to

embark upon the path of correction and to get accustomed to an honest life of work.

The bases for the establishment of administrative surveillance include:

--With respect to especially dangerous recidivists--the entry into legal force of a sentence or determination by a court to the effect that the given person is recognized as an especially dangerous recidivist;

--with respect to other persons who have served a penalty for serious crimes--the finding of the administration of the corrective labor colony or prison and the supervisory commission concerning the necessity of the establishment of administrative surveillance.

The procedure for the implementation of administrative supervision of persons released from places of detention is established by the legislation of the USSR and the union republics.

Contents

On the Procedure for the Implementation of the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics. Decree of the Presidium of the USSR Supreme Soviet, dated 6 October 1969	3
On the Confirmation of the Fundamentals of Corrective Labor Legisla- tion of the USSR and the Union Republics. Law of the Union of Soviet Socialist Republics of 11 July 1969	6
Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics	7
Part I. Corrective Labor Legislation of the USSR and the Union Republics	7
Part II. General Provisions for the Carrying Out of Penalties in the Form of Deprivation of Freedom, Exile, Banishment, and Corrective Work Without Deprivation of Freedom	9
Part III. Procedure and Conditions for the Carrying Out of Punish- ment in the Form of Deprivation of Freedom	12
Part IV. Procedure and Conditions for the Carrying Out of Punishments in the Form of Exile, Banishment and Corrective Labor Without Deprivation of Freedom	31
Part V. Grounds for Release From the Serving of a Sentence; Assis- tance to Persons Released From Places of Detention; Their Supervision and Surveillance	36

[Publication Data]

"Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics"

Editor Yu. G. Meshkov
Artistic Editor I. Ye. Sayko
Technical Editor A. A. Gustovskaya
Proof-Reader I. N. Tarasova

Turned in for type-setting 2-7-1970. Signed to press
30-7-1970. Printing paper No 3, format
84 x 108 1/32. Volume: Conventional printed sheet 2.10; publisher's record
sheet 1.76.
Edition 50,000 copies.

Publishing house "Yuridicheskaya literatura",
Moscow, K-64, 38-40 Chkalova Street.

Order No 4116.

Oblast printing press of the Ivanov Administration
for Printing Affairs, Ivanovo, 6 Tipografskaya.

Price 3 kopecks.

8970
CSO: 1800/1609

RSFSR CORRECTIVE LABOR CODE AND SUBSEQUENT AMENDMENTS

Moscow VEDOMOSTI VERKHOVNOGO SOVETA RSFSR in Russian 24 Dec 70, pp 872-916

[Text] Law of the Russian Soviet Federated Socialist Republic

1220 On the Confirmation of the Corrective Labor Code of the RSFSR

The Supreme Soviet of the Russian Soviet Federated Socialist Republic decrees:

Article 1. To confirm the Corrective Labor Code of the RSFSR and to make it effective as of 1 June 1971.

Article 2. To charge the Presidium of the RSFSR Supreme Soviet with establishing the procedure for implementing the Corrective Labor Code of the RSFSR and bringing the legislation of the RSFSR in conformity with the Code.

Chairman of the Presidium of the Supreme Soviet of the RSFSR M. Yasnov.
Secretary of the Presidium of the Supreme Soviet of the RSFSR Kh. Neshkov.

Moscow, Kremlin. 18 December 1970

CORRECTIVE LABOR CODE OF THE RSFSR

Part I

General Provisions

Chapter I

Corrective Labor Legislation of the USSR and of the RSFSR

Article 1. The Tasks of the Corrective Labor Code of the RSFSR

The Corrective Labor Code of the Russian Soviet Federated Socialist Republic has as its object the guarantee of the carrying out of criminal punishment in order for it to be not only a penalty for the crime that has been committed, but also to correct and reeducate the convicts in the spirit of a conscientious attitude toward work, the precise execution of the laws and respect for the rules of the socialist community, to prevent the commission of new crimes, both by the convicts and by other persons, as well as to promote the eradication of criminality.

The carrying out of punishment does not have the aim of inflicting physical suffering or the humiliation of human dignity.

Article 2. The Corrective Labor Legislation of the USSR and the RSFSR

The corrective labor legislation of the USSR and the RSFSR consists of the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics, which set forth the principles and establish the general provisions for the execution and serving of criminal punishment designated by a court, of other laws of the USSR, as well as of the present Code and other laws of the RSFSR.

The procedure and conditions for serving a penalty and the application of measures of corrective labor influence to persons sentenced to deprivation of freedom, exile, banishment and corrective work without deprivation of freedom, as well as the procedure for the activity of institutions and organs executing the sentences to these types of punishment on the territory of the RSFSR, and the participation of the community in the correction and reeducation of convicts, are established by the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics, other laws of the USSR, as well as by the present Code and other laws of the RSFSR.

In accordance with Art 2 of the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics, the procedure and conditions for serving a penalty by persons sentenced to be sent to a disciplinary battalion are established by legislation of the USSR.

The procedure and conditions for the execution and serving of other types of criminal punishment are established by legislation of the USSR and legislation of the RSFSR.

Article 3. The Application of Corrective Labor Legislation of the USSR and the RSFSR

In accordance with Art 3 of the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics, with respect to persons sentenced to deprivation of freedom, exile and corrective work without deprivation of freedom, who serve their penalty on the territory of the RSFSR, the corrective labor legislation of the USSR and the RSFSR is applied, and with respect to those sentenced to other types of punishment--the corrective labor legislation of the USSR, as well as of the RSFSR or the other union republic of the place of sentencing.

Article 4. The Basis for Serving a Penalty

Only the sentence of a court, which has become legally effective, is the basis for the serving of a criminal penalty and the application of measures of corrective labor influence to convicts.

Chapter II

General Provisions for the Carrying Out of Penalties in the Form of Deprivation of Freedom, Exile, Banishment and Corrective Work Without Deprivation of Freedom

Article 5. The Institutions and Organs Which Carry Out Court Sentences to Deprivation of Freedom, Exile, Banishment and Corrective Work Without Deprivation of Freedom

In accordance with Art 5 of the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics, court sentences to deprivation of freedom, exile, banishment and corrective work without deprivation of freedom are carried out on the territory of the RSFSR by the corrective labor institutions and organs of the USSR Ministry of Internal Affairs.

organs of the USSR Ministry of Internal Affairs.

Within the RSFSR, corrective labor institutions are organized and liquidated by the USSR Ministry of Internal Affairs.

Article 6. The Places for the Serving of Sentences

In accordance with Art 6 of the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics:

Persons sentenced for the first time to deprivation of freedom, as a rule, serve the penalty on the territory of the RSFSR, within the bounds of the autonomous republic, kray, or oblast in which they lived prior to their arrest or were sentenced. In exceptional cases, for purposes of more successful correction and reeducation of the convicts, they may be sent to appropriate corrective labor institutions of another union republic to serve their sentence;

persons who have previously served a penalty in the form of deprivation of freedom, convicts who have had their punishment in the form of the death sentence commuted to deprivation of freedom by way of pardon or amnesty, those convicted of especially dangerous state crimes, as well as foreigners and persons without citizenship who have been convicted, are sent, for the serving of their punishment, to corrective labor institutions which have been designated for the detention of these categories of convicts, regardless of the union republic in which they lived prior to their arrest or were sentenced;

women sentenced to deprivation of freedom, persons in need of special medical treatment, and minors, in the case of the absence of an appropriate corrective labor institution in the autonomous republic, kray, or oblast where they lived prior to their arrest or were sentenced, may be sent to a corrective labor institution of another autonomous republic, kray, oblast or another union republic to serve their sentence;

The list of localities in which persons sentenced to exile serve their penalty, as well as the list of localities in which persons sentenced to banishment are prohibited to live, are established by the USSR Council of Ministers and the RSFSR Council of Ministers.

Those sentenced to corrective work without deprivation of freedom serve their penalty in accordance with the place of work or in other places of the rayon in which they reside.

Article 7. The Basic Means of the Correction and Reeducation of Convicts

The basic means of the correction and reeducation of convicts are: the regime of serving the penalty, socially useful labor, political education work, general education and vocational-technical training.

The means of correction and reeducation must be applied with regard for the character and level of the social danger of the crime committed, the personality of the convict, as well as the conduct of the convict and his attitude to work.

Article 8. The Legal Status of Persons Serving a Penalty in the Form of Deprivation of Freedom, Exile, Banishment and Corrective Work Without Deprivation of Freedom

Persons serving a penalty in the form of deprivation of freedom, exile, banishment, and corrective labor without deprivation of freedom, bear the responsibilities and enjoy the rights established by legislation for citizens of the USSR, with the limitations provided for by legislation for convicts, as well as emanating from the court sentence and the regime established by the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics and the present Code for the serving of a penalty of a given type.

The legal status of foreigners and persons without citizenship who are serving a penalty in the form of deprivation of freedom, exile, banishment and corrective work without deprivation of freedom, is determined by legislation of the USSR which sets forth the rights and duties of these persons while they are on the territory of the USSR, with the limitations provided for by legislation for convicts, as well as emanating from the court sentence and the regime established by the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics and the present Code for the serving of a penalty of a given type.

Article 9. The Participation of the Public in the Correction and Reeducation of Convicts

The public participates in the correction and reeducation of convicts, as well as in the realization of public control over the activity of the institutions and organs which carry out court sentences to deprivation of freedom, exile, banishment, and corrective work without deprivation of freedom.

The forms and procedure for the participation of the public in the correction and reeducation of convicts are established by the present Code and other legislative acts of the RSFSR.

Article 10. The Observance of the Laws in the Carrying Out of Punishment

All activity of the corrective labor institutions and organs carrying out court sentences to exile, banishment and corrective work without deprivation of freedom, is based on the strict observance of the laws. The officials of these institutions and organs bear responsibility for the observance of legality in their activity.

Persons serving a penalty are obligated to strictly observe the requirements of the laws which set forth the procedure and conditions of the execution of punishment.

Article 11. The Procurator's Supervision of the Carrying Out of Punishment

Supervision of the precise observance of the laws in the carrying out of sentences to deprivation of freedom, exile, banishment and corrective work without deprivation of freedom is realized by the USSR Procurator General, the RSFSR

Procurator, and the procurators subordinated to him, in accordance with the Statute on Procuratorial Supervision in the USSR. In carrying out in the name of the state the highest supervision of the observance of legality, the procurator is obligated to take timely measures for the prevention and elimination of any violations of the law, regardless of the origin of these violations, and to call to account those who are guilty.

The administration of corrective labor institutions and organs which execute court sentences to exile, banishment and corrective work without deprivation of freedom, are obligated to carry out the decrees and proposals of the procurator with respect to the observance of the rules for serving a penalty established by the corrective labor legislation of the USSR and the RSFSR.

Part II

Procedure and Conditions for the Carrying Out of Punishment in the Form of Deprivation of Freedom

Chapter III

The Types of Corrective Labor Institutions, the Procedure for the Dispatch and Detention of Convicts in Them

Article 12. Types of Corrective Labor Institutions

Corrective labor institutions which carry out punishment in the form of deprivation of freedom are: Corrective labor colonies, prisons, and educational labor colonies.

Adult persons, sentenced to deprivation of freedom, serve their punishment in corrective labor colonies or in prison, and minors under the age of 18--in educational labor colonies.

Corrective labor colonies are the basic type of corrective labor institution for the detention of those sentenced to deprivation of freedom who have reached adult age.

Article 13. The Determination of the Type of Corrective Labor Institution for Convicts

The type of corrective labor institution and the appropriate regime in which the convicts serve their penalty is determined by the court on the basis of Art 24 of the RSFSR Criminal Code.

Article 14. The Dispatch of Those Sentenced to Deprivation of Freedom to Serve Their Punishment

Persons sentenced to deprivation of freedom are sent to serve their penalty no later than 10 days after the sentence has entered into legal force or after it has been turned over for execution.

In accordance with Art 12 of the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics, the procedure for sending convicts to the corrective labor institutions is determined by the USSR Ministry of Internal Affairs.

In accordance with Art 360 of the RSFSR Code of Criminal Procedure, the administration of the places of imprisonment before trial is obligated to inform the family of the convict, with respect to whom the sentence became legally effective concerning where he is being sent for the serving of his penalty.

Article 15. The Temporary Detention of Convicts in an Investigation Isolator or in Prison

If necessary for the conduct of investigations in a case involving a crime committed by another person, an individual sentenced to deprivation of freedom and serving his penalty in a corrective labor or educational labor colony may be kept in an investigation isolator or in prison with the approval of the procurator of an oblast, kray, autonomous republic, military procurator of a military district, fleet, group of forces and branch of the Armed Forces of the USSR for a term of up to 2 months, with the approval of the RSFSR Procurator and the Chief Military Procurator--up to 4 months, and with the approval of the General Procurator of the USSR--up to 6 months.

If his participation is necessary in a court trial in a case involving a crime committed by another person, a convict, upon determination by the court, may be kept in the investigation isolator or in prison during the time of the examination of the case in court.

In the case of a convict being held criminally responsible in connection with another case and a measure of suppression is chosen with respect to him in the form of commitment into custody, the terms of keeping him in the investigation isolator are determined in accordance with Art 97 of the RSFSR Code of Criminal Procedure.

Article 16. The Keeping of Convicts in the Investigation Isolator or in Prison for Domestic Service Work

In exceptional cases, persons sentenced for the first time to deprivation of freedom for crimes which are not serious and who have been designated to serve their penalty in corrective labor colonies of the general-regime type, may, with their consent, be kept in the investigation isolator or in prison for domestic service work.

The retention of convicts for the performance of this work is effected by order of the head of the investigation isolator or prison if the convicts gave their written consent.

Article 17. The Procedure for the Reception of Convicts in Corrective Labor Institutions

The reception of convicts in corrective labor institutions is effected by the administration in accordance with the procedure established by the Regulations of Corrective Labor Institutions.

In accordance with Art 359 of the RSFSR Code of Criminal Procedure, the administration of the corrective labor institution immediately informs the court, which decided the sentence, about its implementation and about the place where the penalty is served by the convict.

Article 18. The Separate Detention of Convicts in Corrective Labor Institutions

In corrective labor institutions, separate detention is established [for] men and women, minors and adults.

Men sentenced to deprivation of freedom for the first time are confined separately from those who have previously served [a sentence of] deprivation of freedom, those sentenced for the first time for crimes which are not serious --from those sentenced for the first time for serious crimes; women sentenced to deprivation of freedom and minors are confined separately in accordance with the rules provided for by Arts 62, 64, 75 and 76 of the present Code.

The following are confined in isolation from other convicts and also separately: Those convicted of especially dangerous state crimes; especially dangerous recidivists; those whose punishment in the form of the death sentence has been commuted to deprivation of freedom by way of pardon or amnesty. Convicted foreigners and persons without citizenship are confined separately, as a rule, from citizens of the USSR.

The following are also confined separately: Minors who are sentenced for deliberate crimes during the period of serving a penalty of deprivation of freedom, as well as those who systematically or maliciously violate the regime of serving a penalty--from other convicts being confined in educational labor colonies of the stricter-regime type; women who are sentenced for the first time to deprivation of freedom--from women who have previously served [a sentence of] deprivation of freedom, with the exception of women who are being confined in corrective labor colonies in which there are homes for children, organized in accordance with Art 57 of the present Code.

The requirements for the separate confinement of convicts established by this article do not extend to the medical institutions of places of detention. In accordance with Art 13 of the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics, the procedure for the confinement of convicts in these medical institutions is determined by the USSR Ministry of Internal Affairs, with the consent of the USSR Procuracy.

Article 19. The Convicts' Serving the Entire Term of Punishment in One Corrective Labor Institution

A person sentenced to deprivation of freedom must serve the entire term of punishment, as a rule, in one corrective labor colony, prison, or educational labor colony.

The transfer of a convict for further serving of punishment from one colony to another of the same type of regime or from one prison to another is permitted in the case of his illness or in the presence of a substantial change in the volume or character of the work being performed by the convicts, as well as in the presence of other exceptional circumstances which prevent the further confinement of a convict in the given colony or prison. In accordance with Art 17 of the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics, the procedure for the transfer of convicts is determined by the USSR Ministry of Internal Affairs with the consent of the USSR Procuracy.

The transfer of a convict from one colony to another colony with a different type of regime, from a colony to a prison, and also from a prison to a colony, may be effected by a court on grounds provided for by Arts 51, 53 and 77 of the present Code.

Article 20. The Transfer of a Convict from a Corrective Labor Institution to an Investigation Isolator or to a Prison

The transfer of a convict from a corrective labor institution to an investigation isolator or prison is permitted:

--In connection with the examination of a case in court--upon the determination of the court, for the duration of the examination of the case;

--in connection with the proceeding of an investigation in the case of a crime committed by another person--with the approval of the procurator of the oblast, kray autonomous republic, the military procurator of a military district, fleet, group of forces and branch of the Armed Forces of the USSR for a period of up to 2 months, with the approval of the RSFSR Procurator and the Chief Military Procurator--up to 4 months, and with the approval of the USSR Procurator General--up to 6 months.

Article 21. Change in the Conditions of Confinement of Persons Sentenced to Deprivation of Freedom During the Serving of a Penalty

Depending on the conduct and attitude toward labor, the conditions of confinement of convicts may be changed, both within the confines of one corrective labor institution and through the transfer to other corrective labor institutions.

A change in the conditions of the confinement of convicts within the bounds of one corrective labor institution is effected upon the decision of the head of the corrective labor institution.

A change in the conditions of the confinement of convicts within the bounds of one corrective labor institution entails the simultaneous granting of improved conditions of confinement provided for by Arts 62-65, 69, 70, 75 and 76 of the present Code, as well as the simultaneous revocation of all improved conditions provided for by Art 54 of the present Code.

A change in the conditions of the confinement of convicts through their transfer from one corrective labor colony to another colony with a different regime,

from a colony to a prison or from a prison to a colony, from an educational labor colony of the general-regime type to and educational labor colony of the stricter-regime type, is effected by a court on the grounds established by Arts 51 and 53 of the present Code.

Chapter IV

The Regime in Places of Detention

Article 22. Basic Regime Requirements in Places of Detention

The basic requirements with respect to the regime in places of detention are: Mandatory isolation of the convicts and constant supervision of them in order to make it impossible for them to commit new crimes or other anti-social acts; the precise and steadfast execution by them of their obligations; different conditions of detention, depending on the character and the level of the social danger of the crime committed, the personality and the conduct of the convict.

Convicts wear clothing of the same pattern, in accordance with the Regulations of Corrective Labor Institutions they may move within the bounds of the colony, and they are subject to search; a personal search is carried out by persons of the same sex as those being searched. The correspondence of convicts is subject to censorship, and parcels, transmittals and shipments of printed matter --to examination.

Convicts serving a penalty in corrective labor colonies of the special-regime type are kept in cell-type premises and wear clothes of a special pattern.

Convicts are prohibited from having in their possession money and valuable objects, as well as objects whose use is prohibited in corrective labor institutions. Money and valuable objects discovered in the possession of convicts are confiscated and, as a rule, turned over as income to the state, upon the reasoned decision of the head of the corrective labor institution, approved by the procurator. Objects prohibited from use in corrective labor institutions are confiscated and, depending on their character and the circumstances of their acquisition, in accordance with the Regulations of Corrective Labor Institutions, are turned over to safekeeping until the release of the convict from punishment or are destroyed.

Following the procedure established by the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics and the present Code, convicts are allowed to obtain, by written order, food products and basic necessities, to receive visits, to receive parcels, transmittals and shipments of printed matter, to send and to receive money transfers, and to conduct correspondence.

Article 23. The Internal Order in Corrective Labor Institutions

In corrective labor institutions a strictly regulated internal order is established which provides: the procedure for the receipt of convicts in the corrective labor institutions, the rules for the conduct of convicts during work

and rest, the enumeration of jobs and duties in which the use of convicts is prohibited, the list and quantity of objects and things they may carry on their person, the procedure for the removal of objects prohibited from use, the rules for the conduct of checks, visits, the receipt and delivery of parcels, transmittals, shipments of printed matter and correspondence by the convicts, as well as the list and quantity of food products and basic necessities permitted to be sold to convicts.

The regulations are announced to all convicts.

Article 24. The Acquisition of Food Products and Basic Necessities by the Convicts

Convicts are allowed to obtain food products and basic necessities for money earned in places of detention, and convicts who are not able to work, pregnant women, nursing mothers and minors--also for money received by transfers.

The sum of money allowed for expenditure is determined by Arts 62-65, 69, 70, 75 and 76 of the present Code.

Convicts who overfulfill the norms for output or fulfill the established tasks in an exemplary manner may be allowed in addition to spend 2 rubles a month, and those overfulfilling the norms for output and fulfilling the established tasks in an exemplary manner in heavy work, in work with harmful working conditions or in work in corrective labor institutions located in the regions of the Extreme North and regions equivalent to it--4 rubles a month.

The total sum of money allowed for expenditure may not exceed 15 rubles a month.

The list and quantity of food products and basic necessities allowed for sale to convicts is established by the Regulations of Corrective Labor Institutions.

Article 25. The Acquisition of Literature and Writing Materials by Convicts

Over and above the sums established by Arts 62-65, 69, 70, 75 and 76 of the present Code, convicts are allowed, at the expense of the funds available in their personal accounts, to obtain, without limitation, literature through the book trade network, writing materials, as well as to subscribe to newspapers and journals published in the USSR.

Article 26. Visits of Those Sentenced to Deprivation of Freedom With Relatives and Other People

Convicts are granted visits: Short-term visits of up to 4 hours in length, and long visits of up to three 24-hour periods. Short-term visits are granted with relatives and other persons in the presence of a representative of the corrective labor institution. Long visits are granted with the right to joint habitation and only with close relatives (spouses, parents, children, adopted children, brothers and sisters, grandfather, grandmother, grandchildren).

The number and types of visits are established by Arts 62-65, 69, 70, 75 and 76 of the present Code.

In the case of serious illness of a convict endangering his life, the head of the corrective labor institution grants close relatives of the convict the possibility to visit him.

The procedure for the granting of visits is established by the Regulations of Corrective Labor Institutions.

Article 27. The Extension of Legal Assistance to Persons Deprived of Freedom

For the extension of legal assistance, upon written request by the convicts, their close relatives or public organizations, convicts are granted visits with lawyers. At the wish of the convict or lawyer, the visits may be granted in private.

The visits are granted by the administration of the corrective labor institution upon presentation of an order for legal consultation by the lawyer and a document proving his identity.

Article 28. The Receipt of Parcels, Transmittals and Shipments of Printed Matter by Those Sentenced to Deprivation of Freedom

Upon having served one-half of their term of punishment, convicts being confined in corrective labor colonies are allowed to receive up to three parcels or transmittals per year.

Convicts serving a penalty in educational labor colonies are allowed to receive up to 6 parcels or transmittals per year.

The weight of one parcel or transmittal may not exceed 5 kilograms.

The number of parcels and transmittals is established by Arts 62-65, 75 and 76 of the present Code.

Convicts serving a sentence of deprivation of freedom in prisons are not permitted to receive parcels and transmittals.

Convicts who are being treated in the medical institutions of a colony receive parcels and transmittals in accordance with the type of regime designated for them by the court.

Those sentenced to deprivation of freedom, regardless of the type of regime designated for them, are allowed the receipt of no more than two shipments of printed matter per year. In corrective labor colony settlements, the quantity of parcels, transmittals and shipments of printed matter is not limited.

The procedure for the receipt and delivery of parcels, transmittals and shipments of printed matter, as well as the list of objects which convicts are not permitted to receive, are established by the Regulations of Corrective Labor Institutions.

Article 29. The Receipt and Sending of Money Transfers by Those Sentenced to Deprivation of Freedom

Those sentenced to deprivation of freedom are allowed to receive and to send money transfers.

The sums of money received are credited to the personal account of the convict, and in corrective labor colony settlements are handed over to the convict.

Article 30. The Correspondence of Persons Sentenced to Deprivation of Freedom

Convicts are allowed to receive letters without limitation of their quantity.

The number of letters which convicts may send is established by Arts 62-65, 70, 75 and 76 of the present Code.

Correspondence between convicts confined in places of detention, who are not relatives, is prohibited.

The delivery of letters received in the name of convicts, as well as the sending of letters by convicts to the addressees, is carried out by the administration of the corrective labor institution no later than 3 days after the day of the arrival of the letter or its deposit by the convicts.

Article 31. Unescorted Movement of Persons Deprived of Freedom

In exceptional cases, convicts in corrective labor colonies who have firmly embarked on the path to correction, after serving no less than one-third of their penalty, and convicts to whom, in conformity with the law, conditional early release is not applied, after serving no less than two-thirds of their penalty term, may be allowed movement without escort beyond the bounds of the colony if this is necessary in terms of the character of the work being done by them.

Convicts, who are confined in educational labor colonies and have firmly embarked on the path of correction and have served no less than 6 months of deprivation of freedom, may be allowed to move beyond the bounds of the colony without escort if this is necessary in terms of the character of the work being done by the convicts.

Movement without escort or, respectively, without accompaniment beyond the bounds of the colony is prohibited for the following: Especially dangerous recidivists; those convicted of especially dangerous state crimes; convicts whose punishment in the form of the death penalty has been commuted to deprivation of freedom by way of pardon or amnesty; convicted foreigners and persons without citizenship; those convicted of gangsterism; those convicted of the commission of the following crimes under aggravating circumstances: The manufacture or marketing of counterfeit money or securities, the violation of the rules on currency exchange operations, robbery, brigandage, first degree murder, intentional grave bodily harm, rape; those convicted of an attempt on the life of an employee of the militia or a member of the People's Guard [Druzhina], especially malicious hooliganism, the misappropriation of firearms,

ammunition or explosives, committed by means of robbery; those sentenced for premeditated crimes committed during the period of serving a penalty in places of detention; convicts who enjoyed the right of movement without escort, but were deprived of it in connection with violations committed; convicts who had no permanent place of residence, as well as convicts to which the court applied compulsory treatment for alcoholism and drug addiction.

The movement of convicts without escort or without accompaniment is not allowed in the city of Moscow, in border and resort localities, as well as in other populated areas defined in accordance with Art 38 of the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics by the USSR Ministry of Internal Affairs.

In corrective labor colonies located in sparsely populated localities or at a significant distance from rayon centers, movement without escort beyond the bounds of the colonies may be permitted for convicts serving a penalty for the crimes enumerated in part 3 of the present article, with the exception of especially dangerous recidivists; those convicted of especially dangerous state crimes, of gangsterism, of first-degree murder under aggravating circumstances; convicts whose penalty in the form of the death sentence has been commuted to deprivation of freedom by way of pardon or amnesty, as well as convicted foreigners and persons without citizenship.

Article 32. The Procedure for Granting Convicts the Right of Movement Without Escort or Without Accompaniment

The right of movement without escort or without accompaniment beyond the bounds of the colony is granted to the convict through a reasoned decision by the head of the colony, coordinated with the supervisory commission or the commission for the affairs of minors.

Convicts who enjoy the right of movement without escort or without accompaniment must be put in separate housing premises of the colony. Their residence outside the colony is not allowed.

The rules of conduct for convicts who have been permitted movement without escort or without accompaniment beyond the bounds of the colony are established by the Regulations of Corrective Labor Institutions.

In the case of the violation of the regime [or] the rules of conduct by the convict, or if there is a change in the character of work, the movement without escort or without accompaniment is revoked by decision of the head of the colony.

Article 33. The Residence of Convicted Women Outside the Colony

Upon the reasoned decision of the head of the colony, coordinated with the supervisory commission, convicted women who have a conscientious attitude toward work and who observe the requirements of the regime may be allowed residence outside the colony during the time of their release from work because of pregnancy and childbirth, as well as up to the time the child reaches the age of 2.

Convicted women who have been permitted residence outside the colony:

- settle close to the colony and are under the surveillance of the organs of internal affairs;
- may wear clothes accepted in civilian use, carry money and use it without limitation;
- during the hours from rising to retirement have the right of free movement throughout the territory whose borders are defined by the head of the colony;
- may send letters, receive shipments of printed matter⁴ parcels and transmittals and have visits without limitation;

upon completion of the period of release from work after childbirth, perform work according to the instructions of the administration of the colony and receive wages on the same basis as other convicts who are serving a penalty in a corrective labor institution of a given type.

In the case of systematic or malicious violation of the regime or the rules of conduct, the right of residence outside the colony, upon a reasoned decision of the head of the colony, is revoked, and the convicts are transferred to the colony for the further serving of the penalty.

Article 34. The Regime Requirements in Enterprises of Corrective Labor Institutions and in Production Projects of Other Ministries and Departments

In the enterprises of the corrective labor institutions and in the production projects of other ministries and departments, the use of the labor of civilian administrative and engineering and technical personnel directly supervising the work of convicts is permitted, as well as of civilian skilled workers, but not more than 15 percent of the number of convicts who are working.

Persons working together with convicts are obligated to observe the order of mutual relations with them established by the administration of the corrective labor institutions. In the case of the violation of this order, the administration of the corrective labor institutions has the right to prohibit these persons from access to the production projects, where the convicts are working.

The transmission of things, food products, money, as well as objects prohibited from use in corrective labor institutions, is not allowed. Those guilty of this are held accountable in accordance with the procedure established by law.

In some cases, when there are sufficient grounds, the administration has the right to subject production projects to examination, as well as the belongings and clothes of the persons entering and leaving production projects where convicts are working.

Article 35. Security Measures and Grounds for the Use of Arms

If persons deprived of freedom offer physical resistance to employees of corrective labor institutions, behave violently or commit other violent acts, the

use of handcuffs or straitjacket is allowed for the purpose of the aversion of the infliction of harm by them to those surrounding them and to themselves.

The straitjacket is used on the instruction of the head of the corrective labor institution or the person substituting for him, and its use is effected under the supervision of a medical worker.

The straitjacket is not used on convicts who are minors and on women.

About every case of the use of a straitjacket a report is drawn up and the procurator is immediately informed.

In the case of the commission of an attack by a person deprived of freedom, or of another deliberate act directly threatening the life of employees of the corrective labor institutions or other persons, as well as in the case of escape from custody, the use of arms is permitted as an exceptional measure if the indicated acts cannot be stopped by other measures. In the case of the escape of women and minors, the use of weapons is not allowed.

The administration of a place of detention is obligated to inform the procurator immediately about every case of weapon use.

Article 36. Complaints, Statements and Letters of Convicts Serving a Sentence of Deprivation of Freedom

Convicts have the right to address complaints, statements and letters to state organs, public organizations and officials. Complaints, statements and letters of convicts are sent in accordance with the Regulations of Corrective Labor Institutions to the proper quarters and are permitted in accordance with the procedure established by law.

Complaints, statements and letters addressed to the procurator are not subject to examination and are sent to the proper quarters within 24 hours.

Chapter V

The Labor of Persons Deprived of Freedom

Article 37. The Involvement of Persons Deprived of Freedom in Socially Useful Work

Every convict is obligated to work. The administration of the corrective labor institutions is obligated to secure the involvement of the convicts in socially useful labor, taking into account their work capacity and, to the extent possible, their specialty.

Those serving a penalty in special-regime colonies, as a rule, are used for heavy work.

Convicts are involved in work, as a rule, in enterprises of the corrective labor institutions. The work of convicts sentenced to imprisonment is organized only on the territory of the prison.

The work of convicts is organized with observance of the requirements provided for by Art 18 of the present Code.

The work of convicts brought up for work in the production projects of other ministries and departments is organized with observance of the requirements of isolation and protection.

The list of jobs and duties, in which the use of those sentenced to deprivation of freedom is prohibited, is established by the Regulations of Corrective Labor Institutions.

The production and economic activity of corrective labor institutions must be subordinated to their basic task--the correction and reeducation of convicts.

Article 38. The Conditions of Work of Persons Deprived of Freedom

For persons serving a penalty in corrective labor colonies and prisons, an 8-hour work day is established; they are granted one day of rest per week. Following the procedure provided for by labor legislation, convicts are freed from work on holidays.

If it is necessary to involve convicts in work on days of rest and on holidays, they are granted rest on other days in the course of the month.

The length of the work day of convicts serving a penalty in corrective labor colony settlements and in educational labor colonies, as well as the granting of weekly days of rest to them, are established on general principles in conformity with labor legislation.

Persons who are deprived of freedom do not have a right to holiday leave during the period of serving their penalty.

The work time of convicts during the period during which they serve a penalty in the form of deprivation of freedom is not taken into consideration in terms of length of labor service.

The labor of convicts is organized with the observance of labor safety rules and safety technology established by labor legislation.

Article 39. Payment for the labor of Persons Deprived of Freedom

The labor of persons deprived of freedom is paid in accordance with its quantity and quality according to the norms and rates effective in the national economy. The crediting of wages to convicts is effected with regard for partial compensation by them of expenditures for the maintenance of the corrective labor institutions.

In corrective labor colonies and prisons, the personal account of the convicts not allowing violations of the regime and fulfilling the output norms or the established tasks must be credited with no less than 10 percent, regardless of all deductions, and the personal account of invalids of the first and second group not allowing violations of the regime--with no less than 25 percent of

the monthly wages credited to them. In educational labor colonies, the personal account of the convicts not allowing violations of the regime, regardless of all deductions, must be credited with no less than 45 percent of the monthly wages credited to them.

Persons serving a penalty in corrective labor colony settlements, regardless of all deductions, must be paid no less than 50 percent of the total sum of their earnings.

In accordance with Art 29 of the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics, the conditions and procedure for the payment of persons deprived of freedom are determined by the USSR Council of Ministers.

Article 40. Deductions From the Wages of Persons Deprived of Freedom

Persons serving a penalty in corrective labor colonies and prisons reimburse, from the wages credited to them, the cost of food, clothing, underwear and footwear, except the cost of overalls and special work clothing. After reimbursement of these expenditures from the wages credited, deductions are made according to court orders and other court documents in accordance with the procedure established by Arts 419-423 of the RSFSR Code of Civil Procedure.

Minors, as well as invalids of the first and second group, are granted food, clothing, underwear and footwear free of charge.

From convicts who maliciously avoid work, the cost of food, clothing, underwear and footwear is recovered from funds in their personal accounts.

Article 41. The Involvement of Persons Deprived of Freedom in Work Without Payment of Labor

Convicts may be involved in labor without payment only for work on the organization of public services and amenities of the places of detention and the territories adjacent to them, as well as on the improvement of the cultural and domestic services of the convicts.

As a rule, convicts are involved in these jobs in regular succession, during non-working hours, and their duration must not exceed 2 hours.

Article 42. Retirement Provision for Persons Who Have Lost Their Ability to Work While Serving a Penalty

Persons who have lost the ability to work while serving a penalty, after they are released from punishment, have the right to a pension and to compensation for injury in the cases and following the procedure established by the legislation of the USSR.

Chapter VI

Political Education Work With Persons Deprived of Freedom

Chapter 43. The Tasks of Political Education Work

With persons deprived of freedom, political education is conducted which is aimed at educating them in the spirit of a conscientious attitude toward work, the precise execution of the laws, and respect for the rules of socialist society, and a careful attitude toward socialist property, at an increase of consciousness and cultural level, and at the development of useful initiative of the convicts.

The participation of convicts in political education measures is encouraged and is taken into consideration in the determination of the level of their correction and reeducation.

Article 44. The Organization and Forms of Political Education Work

Political education work with persons deprived of freedom is organized by the administration of corrective labor institutions.

Representatives of public, economic and other organizations take part in political education work.

The basic forms of political education work with persons deprived of freedom are:

- labor competition;
- explanation of Soviet legislation;
- agitation and propaganda work;
- cultural work among the masses and physical culture and sports work;
- individual work being conducted on the basis of the study of the personality of every convict, with regard to the crime committed by him, his age, education, profession and other special characteristics of the convict.

Political education work with persons deprived of freedom is conducted in a differentiated manner, with regard for the type of corrective labor institution and the regime established in it.

In prisons and in cell-type premises, political education work with persons deprived of freedom, as a rule, is conducted in the cells.

Article 45. Self-Initiated Organizations in Places of Detention

For the purpose of the development of habits of collectivism among the convicts serving a penalty in places of detention and the encouragement of their useful initiative, as well as the utilization of the influence of the collective on the correction and reeducation of convicts in the corrective labor institutions, self-initiated organizations of convicts are created, which operate under the guidance of the administration of these institutions.

Article 46. The Types of Self-Initiated Organizations of Convicts and the Procedure of Their Operation

In corrective labor colonies of the general, strengthened, and strict-regime type, in colony settlements and educational labor colonies, among the convicts kept, in conformity with Art 16 of the present Code in an investigation isolator or in prison for domestic service work, as well as among convicts transferred from cell-type premises to ordinary living accommodations of special-regime colonies, councils of colonies and detachments are created from among the persons who present themselves by exemplary conduct and a conscientious attitude toward work and study.

The councils of the collectives are elected at general assemblies of the convicts or at meetings of their representatives and are confirmed by the head of the colony.

The councils of the collectives periodically report on their work at meetings of the convicts. Decisions taken by the councils of the collectives are confirmed respectively by the head of the colony or the head of the detachment.

In prisons and among convicts confined in cell-type premises of special-regime corrective labor colonies, councils of brigade leaders, appointed by the head of the prison or the colony, are created.

Self-initiated organizations regularly conduct measures aimed at the extension of assistance to the administration of corrective labor institutions in the work with respect to the correction and reeducation of convicts.

Chapter VII

General Education and Vocational-Technical Training of Persons Deprived of Freedom

Article 47. General Education Instruction of Persons Deprived of Freedom

Mandatory eighth grade general education instruction of convicts takes place in corrective labor institutions.

Convicts who have an eighth grade education may continue their education if there is a secondary school in the corrective labor institution.

Convicts who are over 40 years of age and invalids of the first and second group are involved in general education instruction if they so desire.

The general education instruction of convicts is encouraged and is taken into consideration in the determination of their correction and reeducation.

Article 48. Vocational-Technical Training of Persons Deprived of Freedom

Vocational-technical training is organized in corrective labor institutions for convicts not having a specialty. Vocational-technical training in educational labor colonies is conducted during the working day of the convicts.

Invalids of the first and second group are involved in vocational-technical training if they so desire.

The vocational-technical training of convicts and the improvement of their production skills are encouraged and are taken into account in the determination of the level of their correction and reeducation.

Article 49. The Release From Work of Convicts in Educational Labor Colonies in Connection With the Preparation and Taking of Examination by Them

During the time of preparation and taking of school as well as skill examinations for vocational-technical training by convicts confined in educational labor colonies, the head of the colony releases them from work.

Article 50. The Organization of General Education and Vocational-Technical Training

In accordance with Art 31 of the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics, the organization of general education and vocational-technical instruction for people deprived of freedom is carried out in accordance with the procedure established by the USSR Council of Ministers.

Chapter VIII

Incentive and Penalty Measures Applied to Persons Deprived of Freedom

Article 51. Incentive Measures Applied to Persons Deprived of Freedom

For good conduct and a conscientious attitude toward work and study, the following incentive measures may be applied to convicts:

- announcement of thanks;
- entering on the board the names of the leaders of production;
- award of a certificate of honor;
- bonus payment for the best indices of work;
- permission to receive an additional parcel or transmittal per year;
- granting an additional short-term or long visit per year;
- permission to spend additional money in the amount of up to 2 rubles for the purchase of food products and basic necessities during holidays, and in educational labor colonies in the amount of up to 2 rubles per month;
- early remission of a penalty previously imposed;
- transfer, to a special-regime corrective labor colony, of convicts who have served no less than one-third of their term of punishment, from cell-type premises to the usual housing premises in the same colony;
- increase of the time allotted for exercise for convicts confined in prison or on general regime--up to 2 hours, on strict regime--up to 1 hour.

In accordance with the procedure established by the legislation of the USSR and the RSFSR, convicts, who have firmly embarked upon the path of correction, may be presented for transfer for the further serving of their punishment:

- from a prison to a corrective labor colony--after serving no less than one-half of the term of imprisonment designated by the court sentence;
- from a special-regime corrective labor colony to a strict-regime colony--after serving no less than half of the term of punishment in the special-regime colony;
- from corrective labor colonies of the general, strengthened, and strict-regime type to the colony settlement--after serving no less than half of the term of punishment, if by law a conditional early release may be applied to them, and after serving no less than two-thirds of the term of punishment, if conditional early release by law may not be applied to them.

Convicts, who have demonstrated their correction by exemplary conduct and a conscientious attitude toward work and study, may, following the procedure established by law, be presented for conditional early release or the commutation of the unserved part of their penalty to a milder punishment.

Article 52. The Procedure for the Application of Incentive Measures to Persons Deprived of Freedom

A cash bonus is credited to the personal account of the convict.

Incentives in the form of permission for the additional receipt of parcels or transmittals may be applied only to those convicts who have obtained the right of the receipt of parcels or transmittals in accordance with the present Code.

Convicts being confined in prison on general regime may be granted only a short-term visit in the way of an incentive.

For convicts being confined in prison, the increase in strolling time in the way of an incentive is effected for a term of no more than 1 month;

In the way of an incentive, one previously imposed penalty may be removed early from the convict as a rule.

The transfer of convicts in a corrective labor colony of the special-regime type from cell-type premises to ordinary living accommodations in the same colony is effected by decision of the head of the colony, in coordination with the supervisory commission.

Incentives in the form of gratitude and the early removal of an earlier imposed penalty are employed verbally or in writing, and the remaining incentives--only in writing.

Article 53. Penalty Measures Applied to Persons Deprived of Freedom

The following penalty measures may be applied to convicts for the violation of the requirements of the conditions of serving a penalty:

- warning or reprimand;

- out-of-turn duty in regard to cleaning the premises and territory of the place of detention;
- one-time deprivation for convicts confined in educational labor colonies of their right to attend a movie, concert, or to participate in sports events;
- deprivation of the next visit;
- deprivation of the right to receive the next parcel or transmittal and the prohibition to purchase food products for the period of up to 1 month;
- the revocation of improved conditions of confinement provided for by Arts 62, 65, 69, 70, 75 and 76 of the present Code;
- the placement of convicts confined in corrective labor colonies in the penalty isolator, with or without removal for work or study for a period of up to fifteen 24-hour periods, and those confined in educational labor colonies--in the discipline isolator for a term of up to ten 24-hour periods;
- the placement of convicts confined in prisons in a punishment cell, without removal for work or study, for a term of up to fifteen 24-hour periods;
- the transfer of convicts confined in general, strengthened and strict-regime corrective labor colonies to cell-type premises for a period of up to 6 months, in special-regime colonies--to solitary cells for a term of up to 1 year, and in prisons--to the strict regime for a period of 2 to 6 months; the transfer of convicts confined in ordinary living accommodations to cell-type premises in the same colony.

In cell-type premises of corrective labor colonies of the general, strengthened and strict-regime type and in the solitary cells of special-regime colonies, the regime is established which is provided for the confinement of convicts on strict regime in prison.

Pregnant women and women who have nursing children with them are not placed in the penalty isolator, in cell-type accommodations, or in the punishment cell and on severe regime in prison.

Following the procedure established by legislation of the USSR and the RSFSR, convicts maliciously violating the requirements of the regime may be presented for transfer for the serving of their punishment from colony settlements to a corrective labor colony of the type of regime previously determined for them by the court; convicts who were transferred from a special-regime colony to a strict-regime colony--to a special-regime colony; from a corrective labor colony--to a prison for a period of no more than 3 years, with the serving of the remaining term of punishment in a colony; from an educational labor colony of the general-regime type--to an educational labor colony of the strengthened regime type.

Article 54. The Procedure for the Application of Penalty Measures to Persons Deprived of Freedom

In the application of penalty measures, the circumstances of the commission of the violation and the conduct of the convict prior to the misdemeanor are taken into account. The penalty imposed must correspond to the seriousness and the character of the offense of the convict. The penalty is imposed no later than 10 days after the day of the discovery of the offense, and, if in connection with the offense, an audit was conducted--after the day of its completion, but

not later than 6 months after the commission of the offense. The penalty is put into effect immediately, as a rule, and in exceptional cases no later than 1 month after its imposition.

The transfer of convicts confined in corrective labor colonies of the general, strengthened, and strict-regime type to cell-type accommodations, and of convicts confined in special-regime colonies--to solitary cells is effected in cases in which the application of other measures of influence has been unsuccessful, as well as in cases of the malicious violation of the requirements of the regime of serving a penalty. Transfer to cell-type accommodations and solitary cells in cases of the malicious violation of the requirements of the regime for the serving of a penalty simultaneously entails the revocation of improved conditions of confinement.

Repeated transfer to improved conditions of confinement, and in corrective labor colonies of the special-regime type also the repeated transfer from cell-type accommodations to ordinary living accommodations, may be effected no earlier than a year after the serving of the penalty or earlier than a year if the penalty in form of the revocation of improved conditions of confinement or the transfer to cell-type accommodations or to a solitary cell was removed by the administration of a corrective labor institution prior to the expiration of a year.

Early transfer from cell-type premises and the solitary cell is not allowed, with the exception of cases when this is necessary because of the state of health of the convict based on medical findings. Penalties in the form of a warning or a reprimand, out-of-turn duty in regard to cleaning the premises and territory of the place of detention, the one-time deprivation of attendance of a movie, concert and participation in sports events, are imposed verbally or in writing.

The transfer of convicts confined in corrective labor colonies of the general, stricter, and severe regime type or those confined in the ordinary living accommodations of a special-regime colony to cell-type accommodations and the transfer of convicts confined in a special-regime colony to solitary cells in the same colony, is effected on the basis of a reasoned decision by the head of the colony, in coordination with the supervisory commission and with the indication of the term of confinement.

The other penalties provided for by part 1 of Art 53 of the present Code are imposed by the decision of the head of the corrective labor institution.

Convicts, who are transferred in corrective labor colonies of the general, strengthened and strict-regime type to cell-type accommodations or in special-regime colonies--to solitary cells, as well as convicts placed in the penalty isolator with leave for work, work separately from the other convicts.

During the time of confinement in a punishment cell, a penalty or discipline isolator, convicts are prohibited from receiving visits, sending letters, obtaining food products and basic necessities, receiving parcels, transmittals and shipments of printed matter, using table games and smoking. In the

punishment cell and in the penalty isolator, bedding is not issued, and convicts placed in them are not taken out for a stroll. The confinement of convicts in the punishment cell is solitary.

A convict may appeal a penalty that has been imposed to a superior, but the presenting of the appeal does not delay the carrying out of the penalty.

If in the course of a year from the day of the serving of the penalty the convict does not become subject to a new penalty, he is recognized as not having a penalty.

Article 55. Officials Applying Incentive and Penalty Measures

The right to use the incentive and penalty measures enumerated in Arts 51 and 53 of the present Code belongs fully to the head of the corrective labor institution, as well as to all directors. Deputy heads of corrective labor institutions have the same rights, with the exception of the right to transfer convicts to cell-type accommodations and solitary cells, as well as to place them in the penalty or discipline isolator and punishment cell.

The heads (senior educators) of detachments of colonies have the right to apply the following incentive measures:

- announce thanks (verbally);
- to take away ahead of time a penalty previously imposed by the head (senior educator) of the detachment.

The heads (senior educators) of detachments of colonies have the right to impose the following penalty measures:

- warning or reprimand (verbally);
- out-of-turn duty in regard to cleaning the premises and territory of the place of detention;
- one-time deprivation for convicts confined in educational labor colonies of attendance of a movie, concert, and participation in sports events.

The educators of the departments of educational labor colonies have the right to apply an incentive measure in the form of an announcement of thanks (verbally), as well as to impose penalties in the form of a warning or a reprimand (verbally).

Chapter IX

The Everyday Material Maintenance and Medical Service for Persons Deprived of Freedom

Article 56. The Everyday Material Maintenance of Persons Deprived of Freedom

Persons serving a penalty in places of deprivation of freedom are guaranteed the necessary housing and living conditions which correspond to the rules of sanitation and hygiene. The living space norm per convict in corrective labor colonies cannot be less than 2 square meters, and in educational labor colonies and prisons--2.5 square meters.

Convicts are given an individual berth and bedding. They are provided with clothing, underwear and footwear according to the season and with regard to the climatic conditions.

Convicts receive food which guarantees the normal vital activity of the organism. The food norms are differentiated depending on the climatic conditions of the location of the corrective labor institution, the character of the work being carried out by the convicts, and their attitude toward work. Persons placed in a penalty or discipline isolator, in a punishment cell, in cell-type accommodations in general, strengthened, and strict-regime colonies, as well as in a solitary cell in a special-regime colony, receive food in accordance with reduced norms.

For pregnant women, nursing mothers, minors, as well as those who are ill, improved housing and living conditions are created and increased food norms are established.

Convicts who are released from work for reasons of illness, pregnant women and nursing mothers are given food free of charge during the period of their release from work.

In accordance with Art 36 of the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics, the norms for food and the everyday material maintenance of persons deprived of freedom are established by the USSR Council of Ministers.

Article 57. Medical Service for Persons Deprived of Freedom

The necessary medical institutions are organized in places of detention.

Preventive medical and anti-epidemic work in places of detention is organized in conformity with public health legislation.

In accordance with Art 37 of the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics, the procedure for extending medical aid to persons deprived of freedom, using the medical institutions of the public health organs and involving their medical personnel for this purpose, is determined by the USSR Ministry of Internal Affairs and the USSR Ministry of Health.

In case of necessity, homes for children are organized in corrective labor colonies. Convicts may place their children up to the age of 2 in homes for children.

Upon reaching the age of 2, the children of convicts are sent to appropriate children's institutions or can be handed over to relatives of the convicts or other persons by decision of the organs for guardianship.

Article 58. Compulsory Treatment of Alcoholics and Drug Addicts Deprived of Freedom

Convicts deprived of freedom, to whom the court, on the basis of Art 62 of the RSFSR Criminal Code and the corresponding articles of the criminal codes of

the other union republics, has applied compulsory treatment for alcoholism or drug addiction, are subjected to such treatment in places of detention. The administration of corrective labor institutions provides treatment of these persons while the penalty is being served.

If, while a sentence to deprivation of freedom is being served, it will become known that a convict is an alcoholic or a drug addict, the administration of the corrective labor institution makes representations to the court concerning the application of compulsory treatment of the convict.

In cases in which, at the time of the release from a place of detention, the treatment of a convict is not completed, the administration of the corrective labor institution, given a medical finding, makes representations to the court concerning the extension of that person in a medical institution with a special medical and labor regime.

Chapter X

The Material Responsibility of Persons Deprived of Freedom

Article 59. The Bases and Extent of the Material Responsibility of Persons Deprived of Freedom

Persons deprived of freedom bear material responsibility for material damage to the state, caused while serving their penalty:

- for damage caused during the fulfillment of labor obligations--on a scale provided for by labor legislation;
- for damage caused by other actions--on a scale provided for by civil legislation.

In the case of the infliction of material damage by a crime committed while serving a penalty, the recovery of the damage is effected on a general basis.

Article 60. The Procedure for the Recovery of Material Damage from Persons Deprived of Freedom

The recovery of material damage caused by convicts while serving their penalty in a place of detention is effected on the basis of a reasoned decision by the head of the corrective labor institution, which is conveyed to the convict against a receipt.

The decision of the head of a corrective labor institution may be appealed to a higher director. The presenting of the appeal does not stop the execution of the decision concerning the recovery of damage.

The higher director has the right to change the amount of the sum subject to recovery, or to revoke the decision concerning the recovery of damage in connection with the absence of guilt on the part of the convict.

Amounts withheld incorrectly for damage caused are subject to return to the convict and are credited to his personal account.

After the release of a convict from punishment, any damage for which restitution was not made while the penalty was served, may be recovered on the basis of a court decision in accordance with the procedure established by law.

Chapter XI

Corrective Labor Colonies

Article 61. Types of Corrective Labor Colonies

Corrective labor colonies are divided into general-regime, strengthened regime, strict-regime, and special-regime colonies and colony settlements.

Article 62. General-Regime Corrective Labor Colonies

The following serve their penalty in general-regime corrective labor colonies: Men sentenced to deprivation of freedom for the first time for crimes which are not serious, as well as women who are sentenced to deprivation of freedom, with the exception of women who are recognized as being especially dangerous recidivists, and women whose punishment in the form of the death penalty has been commuted to deprivation of freedom by way of pardon or amnesty.

In accordance with Art 77 of the present Code and Art 24 of the RSFSR Criminal Code, other persons sentenced to deprivation of freedom, too, may serve their penalty in general-regime colonies, with the exception of those recognized as being especially dangerous recidivists and convicts whose punishment in the form of the death penalty has been commuted to deprivation of freedom by way of pardon and amnesty.

In general-regime colonies the convicts:

- are confined in ordinary living accommodations;
- may expend money in an amount of up to 7 rubles per month for the acquisition of food products and basic necessities;
- have the right to three short-term and two long visits in the course of a year;
- may receive no more than two shipments of printed matter a year and send letters without limitation of their number;
- after serving one-half of their penalty, they are allowed to receive three parcels or transmittals per year.

Given good conduct and a conscientious attitude toward work, after serving no less than one-half of their penalty term, the conditions of confinement may be improved. In this case, the convicts are allowed in addition:

- To spend money in the amount of 4 rubles a month for the acquisition of food products and basic necessities;
- to have one long visit and, in the absence of close relatives, one short-term visit in the course of a year.

Article 63. Strengthened-Regime Corrective Labor Colonies

In strengthened-regime corrective labor colonies men serve their penalty who have been sentenced for the first time to deprivation of freedom for serious crimes.

In accordance with Art 77 of the present Code and Art 24 of the RSFSR Criminal Code, other men sentenced to deprivation of freedom, too, may serve their penalty in strengthened-regime colonies, with the exception of those recognized as being especially dangerous recidivists and convicts whose punishment in the form of the death sentence has been commuted to deprivation of freedom by way of pardon or amnesty.

In strengthened-regime colonies the convicts:

- are confined in ordinary living accommodations;
- may expend money in an amount of up to 6 rubles a month for the acquisition of food products and basic necessities;
- have the right to two short-term and two long visits in the course of a year;
- may receive no more than two shipments of printed matter a year and send no more than three letters a month;
- after serving one-half of their penalty term, they are allowed to receive two parcels or transmittals in the course of a year.

Given good conduct and a conscientious attitude toward work, after serving no less than one-half of their penalty term, the conditions of confinement may be improved for the convicts. In this case, the convicts are allowed in addition:

- to spend money in the amount of three rubles a month for the acquisition of food products and basic necessities;
- to have one long visit and, in the absence of close relatives, one short-term visit in the course of a year.

Article 64. Strict-Regime Corrective Labor Colonies

The following serve their penalty in strict-regime labor colonies: Men sentenced to deprivation of freedom for especially dangerous state crimes or those who have previously served a penalty in the form of deprivation of freedom, as well as women convicted of especially dangerous state crimes or recognized as being especially dangerous recidivists, and women whose punishment in the form of the death penalty has been commuted to deprivation of freedom by way of pardon or amnesty.

In accordance with Art 24 of the RSFSR Criminal Code, other persons sentenced to deprivation of freedom, too, may serve their penalty in strict-type colonies. The following may not be confined in strict-regime colonies: Convicted men who are recognized as being especially dangerous recidivists or whose punishment in the form of the death penalty has been commuted to deprivation of freedom by way of pardon or amnesty, with the exception of convicts transferred from special-regime colonies in accordance with the procedure established by Art 51 of the present Code.

In strict-regime colonies the convicts:

- are confined in ordinary living accommodations;
- may expend money in the amount of up to 5 rubles a month for the acquisition of food products and basic necessities;
- have the right to two short-term and one long visit in the course of a year;
- may receive no more than two shipments of printed matter a year and send no more than two letters a month;
- after serving one-half of their penalty term, are allowed to receive one parcel or transmittal in the course of a year.

Given good conduct and a conscientious attitude toward work, after serving no less than one-half of their penalty term, the conditions of confinement may be improved for the convicts. In this case, the convicts are allowed in addition:

- to spend money in the amount of 3 rubles a month for the acquisition of food products and basic necessities;
- to have one long visit and, in the absence of close relatives, one short-term visit in the course of a year.

Article 65. Special-Regime Corrective Labor Colonies

The following serve their penalty in special-regime corrective labor colonies; men sentenced to deprivation of freedom who are recognized as being especially dangerous recidivists, and men whose punishment in the form of the death penalty has been commuted to deprivation of freedom by way of pardon or amnesty.

In special-regime corrective labor colonies the convicts:

- are confined in conditions of strict isolation in cell-type accommodations;
- may expend money in the amount of up to 4 rubles a month for the acquisition of food products and basic necessities;
- have the right to one short-term visit and one long visit in the course of a year;
- may receive no more than two shipments of printed material a year and send one letter a month;
- after serving one-half of their penalty term, are allowed to receive one parcel or transmittal.

Given good conduct and a conscientious attitude toward work, after serving no less than one-half of their penalty term, the conditions of confinement may be improved for the convicts. In this case, convicts are allowed in addition:

- to expend money in the amount of 1 ruble a month for the acquisition of food products and basic necessities;
- to have one long visit and, in the absence of close relatives, one short-term visit in the course of a year.

Article 66. Corrective Labor Colony Settlements

In corrective labor colony settlements, persons serve their penalty who have firmly embarked upon the path to correction, who were transferred to these colonies, in accordance with Art 51 of the present Code, from general-regime, strengthened-regime and strict-regime colonies.

In corrective labor colony settlements, the convicts:

- are kept without guard, but under supervision;
- during the hours from rising to retirement, have the right of free movement within the bounds of the entire territory of the colony;
- with permission of the administration of the colony, may move without supervision outside the territory of the colony, but within the limits of the autonomous republic, kray, or oblast, if this is necessary in terms of the character of the work being carried out by them or in connection with training;
- may wear clothing accepted in civilian use, have money and valuable objects in their possession, make use of money without limitations;
- may send letters and receive shipments of printed material, parcels and transmittals, and have visits without limitations;
- with permission of the administration of the colony and in the presence of housing conditions, may live in the colony with their families, acquire housing in conformity with the legislation in effect, and start a personal household on the territory of the colony.

In colony settlements alone, convicted men and women may be kept, regardless of the type of colony and regime in which they were confined previously.

Chapter XII

Prisons

Article 67. Convicts Confined in Prisons

The following serve their punishment in prisons: Persons convicted for serious crimes and especially dangerous recidivists, whose deprivation of freedom has been designated in the form of imprisonment, as well as persons who have been transferred from corrective labor colonies for reasons provided for by Art 53 of the present Code.

Persons also serve their punishment in prisons who are kept in prison, following the procedure established by Art 16 of the present Code, for domestic service work.

The temporary confinement in a prison (investigation isolator) is permitted with respect to:

- those sentenced to deprivation of freedom, but left [in prison] or transferred in accordance with the procedure and for the term established by Arts 15 and 20 of the present Code;

--convicts transferred from one place of detention to another, as well as those sentenced to exile, being sent to the place of the serving of the penalty under escort, for a term of up to 10 days.

Article 68. Special Characteristics of the Regime in Prisons

Two types of regimes are established in prisons: General and strict.

Convicts are kept in prisons in common cells. In necessary cases, upon the reasoned decision of the head of the prison and with the consent of the procurator, convicts may be confined in solitary cells.

The placement of convicts in cells is effected with observance of the requirements provided for by Art 18 of the present Code.

Moreover, there is separate confinement for persons who are on general regime and on strict regime. There is also isolated confinement from the other convicts and separate confinement for: Persons being transferred from one place of detention to another; those sentenced to exile who are being sent to the place for serving their penalty under escort; and convicts left in prison for domestic service work.

The strolls of convicts confined in prison take place during the daytime in a specially equipped outdoor part of the territory of the prison. The stroll of a convict may be cut short if he violates the established rules.

Article 69. The General Regime in Prisons

In prisons on general regime, persons are confined who were sentenced for the first time to imprisonment, and persons who were transferred from a strict-regime prison.

Convicts confined in prisons on general regime:

- May expend money in the amount of up to 3 rubles a month for the acquisition of food products and basic necessities;
- have the right to two short-term visits in the course of the year;
- may receive no more than two shipments of printed matter a year and send one letter per month;
- enjoy a daily stroll of 1-hour duration.

Given good conduct and a conscientious attitude toward work, after serving no less than one-half of the term of imprisonment designated by the court, convicts may be allowed to expend money in the amount of 1 ruble a month for the acquisition of food products and basic necessities.

Article 70. The Strict Regime in Prisons

The following are confined in strict-regime prisons: Persons who have previously served a prison sentence; persons sentenced to imprisonment for crimes committed in places of detention; persons transferred from colonies to serve a penalty in prison; and persons transferred in accordance with the established procedure to strict regime as a penalty measure.

The term of confinement at strict regime is established within the limits of 2 to 6 months.

Pregnant women may not be confined at strict regime, as well as women who are nursing children.

Convicts confined in prisons at strict regime:

- may expend money in an amount up to 2 rubles a month for the acquisition of food products and basic necessities;
- may receive one shipment of printed material in the course of 6 months and send one letter every 2 months;
- enjoy a daily stroll of 30-minute duration.

Article 71. The Procedure for the Establishment of the Term of Confinement of Convicts at Strict Regime in Prison

The establishment of the term of confinement of convicts at strict regime in prison is effected by decision of the head of the prison, in coordination with the supervisory commission.

In the decision the basis and term of confinement at strict regime is indicated. The decision is communicated to the convict against receipt.

Article 72. The Regime of Confinement of Convicts Left in an Investigation Isolator or in Prison for Domestic Service Work

Convicts left, in accordance with Art 16 of the present Code, for domestic service work enjoy [the use of] money, receive short-term visits, parcels, transmittals and shipments of printed materials in accordance with the norms established for convicts confined in general-regime corrective labor colonies; receive and send letters without limitation of their quantity; are confined in unlocked cells.

If these persons work in closed premises, they enjoy a daily stroll of 2 hour duration.

Article 73. The Regime of Confinement of Convicts Left Temporarily in an Investigation Isolator or in Prison or Transferred to Them

Convicts, who are left temporarily in an investigation isolator or in prison or transferred to these institutions in accordance with Arts 15 and 20 of the present Code, bear the responsibilities provided for by Art 10 of the Statute on Preliminary Detention Under Guard, they are given food free of charge in accordance with the established norms, they receive short-term visits, parcels, transmittals and shipments of printed materials, they send letters and obtain, by written order, food products and basic necessities in accordance with the norms established by the present Code for convicts confined in corrective labor institutions of the corresponding type of regime. These persons enjoy a daily stroll of 2 hour duration.

Chapter XIII

Educational Labor Colonies

Article 74. Types of Educational Labor Colonies

Educational labor colonies are divided into general-regime and strengthened-regime colonies.

Article 75. General-Regime Educational Labor Colonies

The following serve their penalty in educational labor colonies of the general-regime type: Male minors, sentenced for the first time to deprivation of freedom for crimes which are not serious, and all convicted female minors. In accordance with Art 24 of the RSFSR Criminal Code, other convicted male minors, too, may serve their penalty in educational labor colonies.

In general-regime educational labor colonies, the convicts:

- are confined in ordinary living accommodations;
- may expend money in the amount of up to 7 rubles a month for the acquisition of food products and basic necessities;
- have the right to six short-term visits in the course of a year;
- may receive six parcels or transmittals a year;
- may receive no more than two shipments of printed matter a year and send letters without limitation of their quantity.

Given good conduct and a conscientious attitude toward work and study, after serving one-fourth of their penalty term, the conditions of confinement may be improved for the convicts. In this case, the convicts are allowed in addition:

- to expend money in the amount of 3 rubles a month for the acquisition of food products and basic necessities;
- to have six short-term visits in the course of a year.

Article 76. Strengthened-Regime Educational Labor Colonies

The following serve their penalty in educational labor colonies of the strengthened-regime type: Male minors previously sentenced to deprivation of freedom, as well as those sentenced to deprivation of freedom for serious crimes, in cases provided for by the legislation of the USSR and by Note III to Art 24 of the RSFSR Criminal Code, as well as those transferred from general-regime educational labor colonies on grounds provided for by Art 53 of the present code.

In strengthened-regime educational labor colonies, the convicts:

- are confined in ordinary living accommodations;
- may expend money in the amount of up to 5 rubles a month for the acquisition of food products and basic necessities;

- have the right to four short-term visits in the course of a year;
- may receive five parcels or transmittals a year;
- may receive no more than two shipments of printed materials a year and send letters without limitation of their quantity.

Given good conduct and a conscientious attitude toward work, after serving one-third of their penalty term, the conditions of confinement may be improved for the convicts. In this case, the convicts are allowed in addition:

- to expend money in the amount of 2 rubles a month for the acquisition of food products and basic necessities;
- to have two short-term visits in the course of the year.

Article 77. The Transfer of Convicts From Educational Labor Colonies to Corrective Labor Colonies

Convicts who have reached the age of 18 are transferred from an educational labor colony to a corrective labor colony for the further serving of their punishment; those confined in an educational labor colony of the general-regime type--to a general-regime corrective labor colony; those detained in a strengthened-regime educational labor colony--to a general-regime or strengthened-regime corrective labor colony, depending on the level of the social danger of the crime committed, the personality and conduct of the convict.

The question of the transfer of a convict, who has reached the age of 18, to a corrective labor colony is decided by a court in accordance with the procedure established by Art 364 of the RSFSR Code of Criminal Procedure.

Article 78. The Retention of Convicts Having Reached Adult Age in Educational Labor Colonies

In order to strengthen the results of the correction and reeducation, the completion of general education or professional-technical instruction, those who have reached the age of 18, if they have firmly embarked on the path of correction, may be left in an educational labor colony until the completion of their penalty term, but not after they attain the age of 20. The retention of convicts, who have reached the age of 18, in an educational labor colony is effected on the basis of a reasoned decision, in coordination with the commission for the affairs of minors and sanctioned by the procurator.

The regime, working conditions, norms for food and everyday material maintenance, established for convicts who are minors, are extended to convicts who have reached the age of 18 and are left in educational labor colonies.

Part III

Procedure and Conditions for the Carrying Out of Punishments in the Form of Exile, Banishment and Corrective Work Without Deprivation of Freedom

Chapter XIV

Procedure and Conditions for the Carrying Out of Punishment in the Form of Exile

Article 79. Places for Serving Exile

Those sentenced to exile serve the penalty in localities designated for this purpose.

Within the limits of the administrative rayon determined for his residence, the exile selects the place of residence according to his discretion.

Article 80. Dispatch Into Exile

Those sentenced to exile, no later than 10 days after the day on which the sentence became legally effective or after the day on which it was turned over for execution, are sent at state expense to the place where they will serve their penalty, without escort or with escort.

The question of sending convicts into exile without escort or under escort is decided by the court with regard to the character and level of the social danger of the crime committed and the personality of the convict:

- in the designation of exile as the basic punishment;
- in the decision of the conditional early release from punishment in the form of deprivation of freedom--in those cases when exile is designated as an additional penalty;
- is the commutation of deprivation of freedom to a milder measure of punishment in the form of exile.

Convicts for whom exile is designated as an additional punishment, after serving their penalty in places of detention, are sent to the place of exile under escort.

The time of being under escort while being sent to the place of exile must be counted toward the term of punishment at 1 day of being under escort for 3 days of exile, and the time of the journey to the place of serving the sentence of exile without escort--at 1 day of being on the road for 1 day of exile.

In sending into exile persons who have been released from a corrective labor institution, this corrective labor institution is obligated to provide the person in question with clothing and footwear according to season and with food for the journey.

In sending a convict to a place for serving a sentence of exile without escort, the organ in charge of the carrying out of this type of punishment presents the

convict with instructions indicating the itinerary and the deadline for arrival at the place where the punishment will be served and provides him with funds for the journey and food for the road. The convict is warned about his criminal responsibility for flight from the itinerary into exile, as well as flight from the place of exile--about which a signature is collected from him.

In case the convict deviates from the movement to the place of exile, the organ in charge of the execution of this type of punishment detains the convict and immediately sends material to the rayon (city) people's court for examination, within 3 24-hour periods in accordance with the procedure established by Art 368 of the RSFSR Code of Criminal Procedure, of the question of sending the convict to the place of serving the exile sentence under escort.

In case of illness, as well as when there are other exceptional circumstances preventing the further serving of an exile sentence in a given place, the convict, upon the reasoned decision of the Ministry of Internal Affairs of the autonomous republic or the head of the administration of internal affairs of the executive committee of a kray or oblast Council of Workers' Deputies, may be transferred to another place of exile. If such a transfer is carried out on the basis of a petition by the convict or his relatives, the convict travels to the new place of exile at his own expense.

Article 81. The Regime of Serving a Sentence of Exile

Those sentenced to exile are under the surveillance of the organ in charge of the execution of this type of punishment.

During the period of serving his punishment, the exile lives without a passport, in exchange for which he is issued a certificate of identity.

The exile is obligated:

- upon arrival in the rayon designated for him for serving his exile sentence, to register immediately in the department of internal affairs of the executive committee of the rayon [or] city Soviet of Workers' Deputies;
- to appear once a month for registration in the organ in charge of the execution of this type of punishment, and in cases determined by the director of this organ--up to four times a month;
- no later than after 3 days to inform this organ about a change in his place of residence or place of work.

If the convict fails to appear without valid reasons in the organ in charge of the execution of this type of punishment, he may be subjected to forced appearance.

Article 82. The Temporary Departure of an Exile Beyond the Confines of the Administrative Rayon Stipulated for His Residence

An exile may be permitted temporary departure beyond the confines of the administrative rayon stipulated for his residence in cases of:

- incentive for good conduct and a conscientious attitude toward work--for the time of a usual holiday;
- a call by an educational institution for an educational session, for taking state examinations, the defense of a degree--for the term indicated in the call;
- the necessity of special medical treatment, if it is impossible to obtain the appropriate medical assistance locally--for the period of medical treatment;
- the death of serious illness of a close relative or other exceptional circumstances--for a period of up to 10 days, not counting the time of travel;
- an official out-of-town assignment--for the period of the assignment.

The time during which an exile is beyond the confines of the administrative rayon stipulated for him to live in is counted toward his term of serving the penalty in these instances.

Permission for the temporary departure of an exile is given by the organ in charge of the execution of this type of punishment.

At the place of his temporary stay, the exile is obligated to register in the local organ of internal affairs.

Article 83. The Conditions for Serving Exile

The correction and reeducation of persons serving a sentence of exile are realized on the basis of their mandatory involvement in socially useful labor, taking into account their work capacity and the conduct of political education work with them.

The exile selects the place and type of work according to his own discretion.

No later than 15 days from the day of the arrival of exiles in the place for serving their penalty, the executive committees of the local Soviets of Workers' Deputies secure work for them, taking into account their work capacity and, to the extent possible, their specialty, as well as living space, and in necessary cases extend material aid to them before they begin to work.

The directions of the executive committees of the local Soviets of Workers' Deputies about arranging work for exiles are mandatory for the managers of enterprises, institutions and organizations.

The labor of persons serving an exile sentence is regulated on a general basis by labor legislation.

For deviation from socially useful work, exiles bear responsibility on a general basis.

Article 84. Political Education Work With Persons Serving and Exile Sentence

The political education work with persons serving an exile sentence is conducted by the organ in charge of the execution of this type of punishment, as well as by the collectives of workers and public organizations at the place of work of the exiles and the public at the place of residence of the convicts.

The participation of the convicts in political education measures is encouraged and is taken into consideration in the determination of the level of their correction and reeducation.

Article 85. Incentive Measures Applied to Persons Serving a Sentence of Exile

For good conduct and a conscientious attitude toward work, the following incentive measures may be applied to exiles by the organ in charge of the execution of this type of punishment:

- announcement of thanks;
- early remission of a penalty previously imposed;
- permission for departure beyond the confines of the administrative rayon stipulated for them to live in--for the time of a usual holiday.

In accordance with the procedure established by law, persons serving a sentence of exile, who have demonstrated their correction through exemplary conduct and a conscientious attitude toward work, may be presented for conditional early release or for the commutation of the unserved part of their penalty to a milder penalty.

Article 86. Responsibility for the Violation of the Exile Regime

For the violation of the exile regime, the organ in charge of the execution of this type of punishment may limit itself to a warning of the exile or issue a reprimand to him or limit the place of residence of the exile to the confines of a certain population area within the boundaries of an administrative region for a period of up to 6 months.

The convict may appeal the penalty imposed on him to a higher director.

Chapter VI

Procedure and Conditions for the Carrying Out of Punishment in the Form of Banishment

Article 87. The Procedure for the Removal of Those Banished from their Place of Residence

Those sentenced to banishment, no later than 10 days from the day on which the sentence became legally effective or from the day on which it was turned over for carrying out, are moved from their place of residence.

The convict is called to the organ in charge of the carrying out of the punishment to banishment, where he is pledged to leave, within an established period of time, the locality in which he is prohibited to live. The convict is warned about his criminal responsibility for his unwarranted return to places in which he is prohibited to live--about which a signature is taken from him.

If the person banished fails to appear in the organ in charge of the carrying out of this type of penalty, he may be subjected to a forced appearance.

The person sentenced to banishment departs from the locality, in which he is prohibited to live, at his own expense. In exceptional cases, the organ in charge of this type of punishment, may extend material assistance to the person who is banished for his departure from the locality in which he is prohibited to live.

If the person sentenced to banishment evades departure from his place of residence, he is removed by force by the organ in charge of the execution of this type of punishment.

Article 88. The Conditions for Serving a Sentence of Banishment

Those who are banished select the place and type of work, as well as the place of residence according to their own discretion, with the exception of localities in which they are prohibited to live by virtue of the court sentence.

Upon arrival at the selected place of residence, the person banished is obligated, within 3 days, to inform the department of internal affairs of the executive committee of the rayon and city Soviet of Workers' Deputies for notification of the department of internal affairs in the place of sentencing of the banished person, about his arrival and, subsequently, about his going to work, as well as about any change of his place of work and place of residence.

The work of persons serving a sentence of banishment is regulated on a general basis by labor legislation.

The executive committees of the local Soviets of Workers' Deputies extend assistance to those who have been banished with respect to employment and the obtaining of living space.

With persons serving a sentence of banishment, political educational work is conducted in the place of their work and residence.

Article 89. The Temporary Entry of a Banished Person Into the Place in Which He Is Prohibited To Live

A person serving a sentence of banishment may be permitted temporary entry into places in which he is prohibited to live, in cases of:

- incentive for good conduct and a conscientious attitude toward work--for the time of a usual holiday;
- a call by an educational institution for an educational session, for the taking of state examinations, the defense of a degree--for the term indicated in the call;
- the death or serious illness of a close relative or other exceptional circumstances--for a period of up to 10 days, not counting travel time;
- an official out-of-town assignment--for the period of the assignment.

The time of being in places in which the banished person is prohibited to live, in these cases, is counted toward the term of serving the penalty.

The permission for the temporary entry of a banished person into places in which he is prohibited to live is given on the basis of a reasoned decision by the head of the department of internal affairs of the executive committee of the rayon and city Soviet of Workers' Deputies in the place where the convict is located, with notification of the department of internal affairs of the place where temporary entry is allowed, as well as the organ in charge of the execution of the sentence to banishment in the place of sentencing.

Upon arrival in a place, in which he is prohibited to live, the banished person is obligated to register with the department of internal affairs of the executive committee of the rayon and city Soviet of Workers' Deputies.

Article 90. Incentive Measures Applied to Persons Serving a Sentence of Banishment

For good conduct and a conscientious attitude toward work, the organ in charge of the execution of the sentence to banishment may allow the banished person entry into places in which he is prohibited to live, for the time of a usual holiday.

In accordance with the procedure established by law, persons sentenced to banishment, who have demonstrated their correction by exemplary conduct and a conscientious attitude toward work, may be presented for conditional early release or for commutation of the unused part of their penalty to a milder punishment.

Chapter XVI

Procedure and Conditions for the Execution of Punishment in the Form of Corrective Work Without Deprivation of Freedom

Article 91. Types of Corrective Work Without Deprivation of Freedom and the Procedure for Serving Them

Corrective work without deprivation of freedom is served in accordance with the court sentence at the place of work of the convict or in other places determined by the organs which carry out this type of punishment, but in the rayon of residence of the convict, with regard to his work capacity and, to the extent possible, his specialty. With respect to a minor, moreover, the necessity of securing the requisite supervision of his conduct and his obtaining a production skill is taken into consideration.

Sentences to corrective work without deprivation of freedom are put into effect no later than 10 days from the day on which the sentence became legally effective or was turned over for execution.

Corrective work without deprivation of freedom is served in state and public enterprises, institutions and organizations.

Persons sentenced to corrective work without deprivation of freedom at their place of work continue to work in the same enterprise, institution or organization, in which they worked prior to their conviction, at their previous job or work. The transfer of those sentenced to corrective work at their place of work to another job or work is effected on general grounds, provided for by labor legislation.

The serving of corrective work in other places is carried out within the limits of the populated area, where the convict lives, or in a locality from where he has the possibility of returning daily to his place of permanent residence.

Article 92. The Term of Serving Corrective Work Without Deprivation of Freedom

The term of serving a sentence of corrective work without deprivation of freedom is calculated by the months and days during which the convict worked and deductions were made from his earnings. The number of days worked off by the convict must be no less than the number of workdays which go to make up the calendar term of punishment established by the court. If the convict did not work off the indicated number of work days and there is an absence of the grounds established by the present Code for counting days not worked off toward the penalty term, the serving of the punishment continues until the convict has completely worked off the assigned number of workdays.

The time during which the convict did not work for valid reasons and wages were paid to him in accordance with the law counts toward the term of serving the penalty. Time of illness, time granted for leave to take care of the sick, and time spent on leave for pregnancy and childbirth also counts toward this term. Time of illness caused by intoxication or actions connected with intoxication does not count toward the term of serving corrective work without deprivation of freedom.

In the case of kolkhoz farmers, the time also counts toward serving the penalty when, due to objective conditions, they were not given work, if the total number of days worked off was not lower than the annual minimum or the minimum for its individual periods established for the kolkhoz farmers throughout the farm.

If, during the serving of corrective work, the convict is subject to an administrative penalty or taken into custody by way of suppression, the time of serving the administrative penalty and confinement in custody does not count toward the serving of corrective work without deprivation of freedom.

Article 93. Organization of the Carrying Out of Punishment in the Form of Corrective Work Without Deprivation of Freedom

The correction and reeducation of persons serving a sentence of corrective work without deprivation of freedom is realized on the basis of their participation in socially useful labor. The control of the conduct of convicts and the conduct of political education work with them is realized by the collectives of the enterprises, institutions and organizations at the place where the penalty is served.

The organs, which are in charge of the execution of this type of punishment, maintain a personal record of all persons sentenced to corrective work without deprivation of freedom, send to work persons sentenced to corrective work in other places, and in necessary cases extend assistance in the employment of persons sentenced to corrective work at their place of work; realize the control of the correctness of the deductions being made from the earnings of the convicts, the observance--on the part of the administration of the enterprises, institutions and organizations--of the conditions of serving the penalty established by the corrective labor legislation of the USSR and the RSFSR; participate in the conduct of political education work with the convicts; apply incentive and penalty measures to the convicts; and organize the search for convicts whose whereabouts are unknown.

With respect to convicts who are recognized as not being able to work after passing of the sentence, the organs carrying out this type of punishment solicit the court in regard to the commutation of corrective work without deprivation of freedom to another, milder form of punishment.

Those sentenced to corrective work without deprivation of freedom are obliged to observe the established procedures for the serving of punishment and appear, when summoned, before the organs carrying out this type of punishment. In the case of failure to fulfill this requirement without valid reasons, the convict may be subject to a forced appearance in court.

Article 94. Conditions of Serving Corrective Work Without Deprivation of Freedom

From the earnings of those sentenced to corrective work without deprivation of freedom, deductions for state income are made during the course of serving the penalty on a scale established by the court sentence, and in accordance with the procedurn established by Art 95 of the present Code.

During the term of serving corrective work without deprivation of freedom, the dismissal of convicts from work at their own will without permission of the organs in charge of the execution of this type of punishment is prohibited.

Refusal to issue permission for dismissal may be appealed to a higher director.

The time of serving a sentence of corrective work without deprivation of freedom does not count toward the general and continuous labor service of the convict, to which effect an entry is made in his work-book.

On the condition that there is conscientious work and exemplary conduct during the period of the serving of a sentence of corrective work without deprivation of freedom, this time may be included in the general labor service of the person serving the penalty, on the basis of a court decision in accordance with the procedure established by Art 368 of the RSFSR Code of Criminal Procedure.

Those sentenced to corrective work without deprivation of freedom, during the time of serving the penalty, are not granted regular holiday leave.

The time of serving the penalty is not included in the length of service giving the right to holiday leave and the receipt of benefits and long-service increments to earnings.

For persons serving a sentence of corrective work without deprivation of freedom, allowances for temporary work disability, pregnancy and childbirth, are calculated from their earnings less the deductions designated by the court sentence.

Article 95. The Procedure for Effecting Deductions from the Earnings of Those Sentenced to Corrective Work Without Deprivation of Freedom

The deductions are made from the entire sum of earnings, without the exclusion of taxes and other payments from these sums, as well as regardless of the presence claims against the convict based on executive documents.

Deductions are made for every month worked off when the wages for the second part of the month are paid, and in case of dismissal--for the part of the month worked off. From persons holding several positions, the deductions are effected from the earnings from every place of work.

Deductions are not effected from pensions and allowances received by way of social security and social insurance, and payments of a one-time character and not envisaged by the system of wages.

In effecting the deductions from the earnings of convicted kolkhoz farmers, both the cash and the part paid in kind of their income are included in these earnings. The part of the income paid in kind, which is withheld from the convicts, remains at the disposal of the kolkhoz, and its value in terms of state procurement prices is transferred as income to the state. The sums of money withheld are transferred as income to the state on a monthly basis on the day of the payment of a guaranteed wage. The withholdings from the incomes paid in kind are effected as they are received and, in the final calculation--based on the results of the agricultural year.

If a court sentence is revoked and the case is closed, the sums withheld from the earnings of the convict are returned to him in full.

Article 96. The Obligations of the Administration of Enterprises, Institutions and Organizations at the Place Where Corrective Work Without Deprivation of Freedom Is Served by Convicts

The administration of enterprises, institutions and organizations at the place where corrective work with deprivation of freedom is served by convicts is charged with:

- informing the members of the collective about the court sentence;
- control of the conduct of convicts in production and in everyday life and participation in the conduct of political education work with them;
- labor education of the convicts in the spirit of a conscientious attitude toward work and the observance of labor and state discipline;

- the correct and prompt effecting of deductions from the earnings of convicts for state income and the prompt transfer of the sums withheld in accordance with the established procedure;
- information of the organ executing this type of punishment about the incentive and penalty measures applied to the convict, and about his deviation from serving the penalty;
- strict observance of the conditions of serving corrective work without deprivation of freedom envisaged by the present Code.

Article 97. Incentive and Penalty Measures Applied to Persons Serving Corrective Work Without Deprivation of Freedom

To persons serving a sentence of corrective work without deprivation of freedom, the administration of enterprises, institutions and organizations at the place, where the penalty is served, applies incentive and penalty measures in accordance with labor legislation.

The organs in charge of the execution of the penalty of corrective work without deprivation of freedom apply incentive and penalty measures to the convicts.

The following measures are applied for good conduct and a conscientious attitude toward work:

- announcement of thanks;
- early remission of a penalty previously imposed.

Convicts who have demonstrated their correction by exemplary conduct and a conscientious attitude toward work and study may, in accordance with the procedure established by law, be presented for conditional early release or for the commutation of the unserved part of their penalty to a milder penalty.

The following penalty measures are applied for the violation of the established order for serving the penalty:

- rebuke;
- reprimand.

If persons sentenced to corrective work without deprivation of freedom deviate from the serving of the penalty, they be given a warning by the organ executing this type of punishment.

The convict may appeal the penalty imposed to a higher director.

In the case of the malicious deviation of convicts from serving their penalty, the organ, which executes this type of punishment, may make representations to the court in regard to replacing, in accordance with Art 28 of the RSRSR Criminal Code, the unserved term of corrective work without deprivation of freedom with a penalty in the form of deprivation of freedom.

Part IV

Grounds for Release From the Serving of a Penalty; Assistance to Persons Released From Places of Detention; Their Supervision and Surveillance

Chapter XVII

Release From the Serving of a Penalty

Article 98. Grounds for Release From Serving a Penalty

Convicts are released from serving a penalty on the following grounds:

- upon serving the term of punishment designated by the court sentence;
- because of an act of amnesty;
- in view of a pardon;
- as a result of the revocation of the sentence with termination of the case;
- as a result of the change of the sentence with the replacement of the penalty by a conditional sentence or the reduction of the penalty to the limits of the sentence already served;
- in view of the conditional early release from punishment or the replacement of a sentence to deprivation of freedom by a penalty not involving deprivation of freedom;
- because of the determination of a court carried out on the grounds provided for by Art 100 of the present Code;
- on other grounds provided for by law.

Article 99. Representation for Conditional Early Release From Punishment and for Commutation of a Penalty to a Milder One

With respect to convicts, to whom, in accordance with Arts 53 and 55 of the RSFSR Criminal Code, conditional early release from punishment may be applied or the commutation of the unserved part of their penalty to a milder one, the organ in charge of the execution of the penalty, after the convict has served the part of the penalty term established by law, examines the question of the possibility of making representations to the court, jointly with the supervisory commission or the commission for the affairs of minors, concerning the conditional early release or the commutation of the unserved part of the penalty to a milder punishment.

The representation must include data characterizing the conduct of the convict, his attitude toward work and study during the entire time of serving his penalty and testifying to the fact that the convict has demonstrated his correction by exemplary conduct and a conscientious attitude toward work. The personal file of the convict is forwarded simultaneously with the representation to the court.

Article 100. Release From Serving a Penalty Because of Illness

Convicts who have developed a chronic mental or other serious illness preventing the further serving of their penalty may be released by the court from the fur-

ther serving of the penalty. The procedure for the release of such persons from the further serving of their penalty is determined by legislation of the USSR and the RSFSR.

Representation concerning the release from the serving of a penalty because of illness is made to the court by the head of the organ in charge of the execution of the penalty. The finding of the medical commission and the personal file of the convict are forwarded simultaneously with the representation to the court.

Article 101. The Procedure for Release From Places of Detention

The release from places of detention after serving a penalty is effected during the first half of the last day of the term of punishment, and for other reasons --on the day of the receipt of the appropriate documents in the corrective labor institution. If the documents are received after the end of the workday, the release is effected during the morning of the following day.

If the penalty term in the form of deprivation of freedom ends on a day off or on a holiday, the convict is released on the day before the day off or before the holiday. When the term is calculated by months, the term expires on the appropriate date of the last month, and if the given month does not have the corresponding date--on the last day of this month.

On the day of his release, the convict is given his personal documents and the things and money kept in his personal account, as well as the appropriate document about having served his penalty.

Three months prior to the expiration of the penalty term, the administration of the corrective labor institution in necessary cases clarifies the possibility of the employment of the convict and in good time takes measures to arrange work for him.

Minors who are being released are sent to the parents or to persons taking their place. If it is impossible to send them in this way, the commission the the affairs of minors at the place of previous residence of the convict, upon the representation of the administration of the colony, takes measures to find work for him in accordance with his specialty, or to arrange for him to study, as well as to create for him the necessary housing and living conditions. In exceptional cases, when when sending a minor to his previous place of residence is inexpedient for educational reasons, the arrangement of his affairs, upon representation of the administration of the colony, is effected by the commission for the affairs of minors at the place where the colony is located.

Persons who are released from places of detention and need outside care, as well as minors of up to 16 years of age, are sent to their place of residence in the accompaniment of an employee of the corrective labor institution.

Article 102. The Procedure for the Release From Serving a Punishment in the Form of Exile, Banishment and Corrective Work Without Deprivation of Freedom

A person sentenced to exile, banishment or corrective work without deprivation of freedom, is released from the limitations of his rights connected with his conviction on the day of the expiration of his penalty term, and in the case of his release from punishment for other reasons--on the day of the receipt of the appropriate documents in the organ in charge of the execution of a given form of punishment, which is obligate to announce this to the convict.

The organ in charge of the execution of a sentence to corrective labor without deprivation of freedom, on the day of the completion of the penalty term, and in case of release for other reasons--not later than the following workday after the receipt of the appropriate documents, is obligated to propose to the administration of the enterprise, institution or organization, where the convict served his penalty, to discontinue deductions from his earnings.

The convict is issued a document about having served his penalty.

Chapter XVIII

Assistance to Persons Released From Serving a Punishment

Article 103. The Extension of Material Assistance to Persons Released From Places of Detention

Persons being released from places of detention are provided with free passage to their place of residence or work, as well as food products and money for the journey in accordance with established norms.

In the absence of necessary clothing for the season, footwear and means for their acquisition, the persons being released are provided with clothing and footwear free of charge. They may be issued a one-time cash allowance from a special fund.

In accordance with Art 47 of the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics, the payment of the passage of persons being released from places of detention, their provision with food, clothing and footwear, as well as the issuing of the one-time cash allowance, are effected by the corrective labor institutions in accordance with the procedure established by the USSR Council of Ministers.

Article 104. Work and Living Arrangements for Persons Released From Serving a Punishment

Persons who have been released from punishment must be provided with work, if possible with regard to the specialty they have, by the executive committees of the local Soviets of Workers' Deputies not later than 15 days after they have been asked for assistance with employment. In necessary cases, persons released from punishment are given living space.

The directions of the executive committees of the local Soviets of Workers' Deputies concerning the employment of persons released from punishment are mandatory for the managers of enterprises, institutions and organizations.

Invalids and persons of advanced age, on their request, are subject to placement in homes for invalids and the aged. Minors who do not have parents, in necessary cases, are sent to boarding schools or other children's institutions by the commissions for the affairs of minors or are turned over to guardianship in accordance with the procedure established by law.

Chapter XIX

Supervision of Persons Released Conditionally and Early From the Serving of a Punishment

Article 105. The Goals and Terms of the Supervision of Persons Released Conditionally and Early From Serving a Punishment

Persons who are released conditionally and early from the serving of punishment, for the duration of the unserved part of their punishment, are placed under the supervision of public organizations and labor collectives and educational work is conducted with them.

The supervision and conduct of educational work are carried out in order to strengthen the results of correction and to get the convicts accustomed to a conscientious life of work.

Article 106. The Procedure for the Supervision of Persons Released Conditionally and Early From the Serving of a Punishment

The supervision of persons who have been released conditionally and early from the serving of a punishment is organized by the executive committees of the local Soviets of Workers' Deputies and is directly carried out by the public organizations and labor collectives at the place of work or study, as well as at the place of residence of these persons under the control of the supervisory commissions and the commissions for the affairs of minors.

With respect to persons who have previously served a sentence of deprivation of freedom for serious crimes or who have been sentenced more than twice to deprivation of freedom for any premeditated crimes and have been released conditionally and early, the public organizations and the collectives of workers, in case of the failure of measures of social influence, may petition the organs of internal affairs concerning the adoption of measures provided for by legislation in regard to administrative supervision.

Chapter XX

Administrative Surveillance of Persons Released from Places of Detention

Article 107. The Establishment of Administrative Surveillance for Persons Released from Places of Detention

For especially dangerous recidivists released from places of detention and for persons who have served a penalty for serious crimes or have been sentenced more than twice to deprivation of freedom for any premeditated crimes, administrative surveillance by the organs of the militia is established if their conduct during the period of serving the punishment in places of detention testifies to the persistent unwillingness to embark upon the path of correction and to get accustomed to an honest life of work.

Article 108. The Bases for the Establishment of Administrative Surveillance

The bases for the establishment of administrative surveillance include:

- with respect to especially dangerous recidivists--the entry into legal force of a sentence or determination by a court to the effect that the given person is recognized as an especially dangerous recidivist;
- with respect to other persons who have served a penalty for serious crimes or who have been sentenced more than twice to deprivation of freedom for any premeditated crimes--the finding of the administration of the corrective labor colony or prison and the supervisory commission concerning the necessity of the establishment of administrative surveillance.

The documents necessary to establish administrative surveillance are sent by the administration of the corrective labor colony or prison to the organs of the militia of the place of residence of the person who has served the penalty.

Article 109. The Procedure for the Implementation of Administrative Surveillance for Persons Released from Places of Detention

In accordance with Art 49 of the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics, the procedure for the implementation of administrative surveillance of persons released from places of detention is established by legislation of the USSR and the RSFSR.

Part V

Participation of the Public in the Correction and Reeducation of Convicts

Chapter XXI

Participation of the Public in the Correction and Reeducation of Convicts

Article 110. The Supervisory Commissions

The supervisory commissions, consisting of deputies of the Soviets, representatives of the trade unions, Komsomol and other public organizations and

collectives of workers take a direct part in the correction and reeducation of convicts, as well as in the implementation of public control over the activity of the institutions and organs executing court sentences to deprivation of freedom, exile, banishment, and corrective work without deprivation of freedom.

The tasks and rights of the supervisory commissions and the organization of their work are regulated by the present Code and by the Statute on Supervisory Commissions, approved by the Presidium of the RSFSR Supreme Soviet.

Article 111. The Commissions for the Affairs of Minors

The correction and reeducation of convicts who are serving a penalty in the form of deprivation of freedom in educational labor colonies, and minors who are serving a penalty in the form of corrective work without deprivation of freedom, as well as the implementation of public control over the activity of the institutions and organs executing court sentences to these types of punishment, are carried out with the direct participation of the commissions for the affairs of minors, consisting of deputies of the Soviets, representatives of the trade unions, Komsomol and other public organizations, as well as employees in public education, professional-technical education, public health service, social security, the organs of internal affairs, and cultural and educational and other institutions.

The tasks and rights of the commissions for the affairs of minors and the organization of their work are regulated by the present Code and the Statute on Commissions for the Affairs of Minors, approved by the Presidium of the RSFSR Supreme Soviet.

Article 112. The Patronage by Labor Collectives and Public Organizations of Corrective Labor Institutions

Corrective labor institutions are placed under the patronage of collectives of industrial enterprises, sovkhozes, kolkhozes, cultural and educational institutions, educational establishments, as well as other state and public organizations. The basic tasks of the patronage work are assistance to the administration of the corrective labor and educational labor colonies in the correction and reeducation of the convicts, as well as the extension of assistance with the work and living arrangements of persons released from places of deprivation of freedom. The collectives of workers and public organizations extend assistance in the development of the production of corrective labor and educational labor colonies, in the conduct of political education work, and the organization of general education and professional-technical training.

Article 113. The Community Council in the Educational Labor Colony

A community council consisting of the representatives of soviet, Komsomol, trade union, and other public organizations and collectives of workers, is created for the organization of the patronage work in every educational labor colony. The composition of the community council includes the head of the colony or his deputy.

The organization and activity of the community council are regulated by a Statute, approved by the RSFSR Council of Ministers.

Article 114. Public Educators of Convicted Minors

In order to strengthen the results of correction and to prevent the repeated transgressions of the law by minors who have served a penalty or have been released conditionally and early from a penalty, public educators may be appointed.

The procedure for the appointment and the activity of public educators are determined by a Statute, approved by the Presidium of the RSFSR Supreme Soviet.

Article 115. Other Forms of Participation of the Public in the Correction and Reeducation of Convicts

In the work with respect to the correction and reeducation of convicts, other forms of participation of the public may also be applied, which are not provided for by the present Code, but which correspond to the general provisions and principles of the execution of criminal punishment established by the corrective labor legislation of the USSR and the RSFSR.

8970

CSO: 1800/1609

AMENDMENTS TO THE RSFSR CORRECTIVE LABOR CODE 1973

Amendment No 1

Moscow VEDOMOSTI VERKHOVNOGO SOVETA RSFSR in Russian 31 May 73 pp 328-329

[Ukase of the Presidium of the RSFSR Supreme Soviet, dated 29 May 1973]

[Text] 491 On the Introduction of Changes in the RSFSR Corrective Labor Code

In accordance with the Ukase of the Presidium of the USSR Supreme Soviet of 26 April 1973 "On the Introduction of Changes in the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics", the Presidium of the RSFSR Supreme Soviet decrees:

To introduce the following changes in the RSFSR Corrective Labor Code (VEDOMOSTI VERKHOVNOGO SOVETA RSFSR No 51, Art 1220):

1. To word part two of Art 18 as follows:

"Men sentenced for the first time to deprivation of freedom are confined separately from those who have previously served a sentence of deprivation of freedom, those sentenced for the first time for crimes which are not serious, and those sentenced for the first time for a term of not more than 3 years for serious crimes--from those sentenced for the first time for a term of more than 3 years for serious crimes; women and minors who are sentenced to deprivation of freedom are confined separately in accordance with the rules provided for by Arts 62, 64, 75 and 76 of the present Code."

2. To word part one of Art 62 as follows:

"The following serve their penalty in corrective labor colonies of the general-regime type: Men sentenced for the first time to deprivation of freedom for crimes which are not serious, and those sentenced for the first time to deprivation of freedom for a term of not more than 3 years for serious crimes, as well as women sentenced to deprivation of freedom, with the exception of women who are recognized as especially dangerous recidivists, and women whose penalty in the form of the death sentence has been commuted to deprivation of freedom by way of pardon or amnesty."

3. To supplement part one of Art 63 after the words "to deprivation of freedom" with the words "for a term of not more than 3 years".

4. To word part one of Art 67 as follows:

"The following serve their penalty in prison:

Especially dangerous recidivists sentenced to deprivation of freedom in the form of imprisonment, persons upon the attainment of age 18 who have committed especially dangerous state crimes, persons upon the attainment of age 18 who have committed other serious crimes and who have been sentenced for them to deprivation of freedom for a term of more than 5 years;

persons who have been transferred from corrective labor colonies on grounds provided for by Art 53 of the present Code".

5. To word part one of Art 75 as follows:

"The following serve their penalty in educational labor colonies of the general-regime type: Male minors sentenced for the first time to deprivation of freedom for crimes which are not serious, and those sentenced for the first time to deprivation of freedom for a term of not more than 3 years for serious crimes, as well as all convicted female minors."

6. To word part one of Art 76 as follows:

"The following serve their penalty in educational labor colonies of the strengthened-regime type: Male minors who have previously served a penalty in the form of deprivation of freedom, those who have been sentenced to deprivation of freedom for a term of more than 3 years for serious crimes, as well as those transferred from educational labor colonies of the general-regime type on grounds provided for by Art 53 of the present Code."

Chairman of the Presidium of the Supreme Soviet of the RSFSR M. Yasnov.
Secretary of the Presidium of the Supreme Soviet of the RSFSR Kh. Neshkov.

Moscow, 29 May 1973.

Amendment No 2

Moscow VEDOMOSTI VERKHOVNOGO SOVETA RSFSR in Russian 24 Mar 77 pp 200-207

[Ukase of the Presidium of the RSFSR Supreme Soviet, dated 11 March 1977]

[Text] 258 On the Introduction of Supplements and Changes in the RSFSR Corrective Labor Code

In accordance with the Ukase of the Presidium of the USSR Supreme Soviet of 8 February 1977 "On the Introduction of Supplements and Changes in the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics", the Presidium of the RSFSR Supreme Soviet decrees:

I. To supplement the RSFSR Corrective Labor Code (VEDOMOSTI VERKHOVNOGO SOVETA RSFSR, 1970, No 51, Article 1220; 1973, No 22, Article 491) with part II-A of the following content:

"Part II-A

Procedure and Conditions for the carrying out of Conditional Conviction to Deprivation of Freedom with Mandatory Involvement of the Convict in Work and Conditional Release from Places of Detention with Mandatory Involvement of the Convict in Work

Article 78¹. The Sending of Convicts to the Place of Mandatory Involvement in Work

Persons, who have been conditionally sentenced to deprivation of freedom with mandatory involvement in work and who are free at the moment when the sentence becomes legally effective, travel to the place of work at state expense on their own. In these cases, the court which has passed the sentence sends an order concerning the carrying out of the sentence to the organ of internal affairs at the place of residence of the convict. The organ of internal affairs delivers to the convict instructions concerning his departure to the place of work. Not later than 3 days after the receipt of the instructions, the convict is obligated to leave for his place of work and arrive there within the term necessary for the journey, which is indicated in the instructions concerning his departure.

Those conditionally sentenced to deprivation of freedom with mandatory involvement in work, who at the moment when the sentence becomes legally effective are in custody, are sent to work in accordance with the procedure established for persons sentenced to deprivation of freedom. These persons, as well as persons conditionally released from places of detention with mandatory involvement in work, are subject to release from custody upon arrival at the place of work.

Persons who are conditionally sentenced to deprivation of freedom with mandatory involvement in work for a term of not more than 1 year are involved in work, as a rule, on construction sites (in enterprises) located in the rayon of their permanent place of residence or in other localities within the bounds of the given oblast, kray, or autonomous republic.

Persons who have committed a crime with an accomplice are, as a rule, sent to different enterprises to work.

If the convict evades the receipt of the instructions concerning his departure for his place of work, if he fails to leave within the established term or does not show up at the place of work, the convict is detained by the organ of internal affairs with the approval of the procurator for a term of not more than 30 days to establish the reasons for the violation of the procedure of unassisted travel to the place of work. The organ of internal affairs sends the detained person to the place of work in accordance with the procedure estab-

lished for persons sentenced to deprivation of freedom, or, if there information about the evasion of the execution of the sentence, transmits the materials to the court at the place of detainment of the convict to decide the question about sending him to the place of deprivation of freedom in accordance with the sentence.

Article 78². The Duties and Rights of Persons Conditionally Sentenced and Conditionally Released

Persons conditionally sentenced to deprivation of freedom with mandatory involvement in work and conditionally released from places of detention with mandatory involvement in work have the duties and rights established by legislation for citizens of the USSR, with the following limitations:

--They are obligated to work wherever they are sent by the organs in charge of the execution of the sentence, and in case of production exigencies they may be transferred, without their consent, to other work, including work in another locality. These persons, as a rule, are obliged to live in special dormitories designated for them; given good conduct, a conscientious attitude toward work and the presence of a family, they may, by the decision of the head of the organ of internal affairs, be allowed to live with their families in living space leased by them;

--during the period of the mandatory term of work they are prohibited from leaving the bounds of the administrative rayon at the place of their work without special permission of the organ of internal affairs implementing the supervision. In this connection they are obligated to appear before the organ of internal affairs from 1 to 4 times a month for registration. The frequency of the registration of the convict is established by decision of the head of the organ of internal affairs which is implementing the supervision of the convict.

In exceptional cases, given exemplary conduct and a conscientious attitude toward work, by joint decision of the administration of the enterprise and the organ of internal affairs, persons who are conditionally sentenced to deprivation of freedom with mandatory involvement in work and conditionally released from places of detention with mandatory involvement in work are allowed to leave and go beyond the bounds of the administrative rayon for a work assignment, holiday, or for other valid reasons.

Article 78³. The Responsibility of Persons Conditionally Sentenced and Conditionally Released, for the Violation of Labor Discipline, Public Order and the Rules of Registration

The violation of labor discipline or public order by the convicts entails the application of disciplinary or administrative responsibility in conformity with legislation presently in effect.

Persons who have violated labor discipline, the public order, or the rules of registration, by decision of the head of the organ of internal affairs, may be prohibited from living outside the dormitory for a term of up to 6 months, from leaving the dormitory for a fixed period of time, and from staying in certain places.

The administration is obligated to immediately inform the organ of internal affairs about the absence of a convict from work for more than 3 days for unknown reasons or about the failure of such persons to return to their place of work within the established period of time from a holiday or an out-of-town assignment.

A convict who on his own has left and has gone beyond the bounds of the administrative rayon at the place of his work is detained by the organ of internal affairs with the approval of the procurator for a term of not more than 30 days to establish the reasons for his unwarranted departure. The organ of internal affairs sends the detained person to his place of work in accordance with the procedure established for persons sentenced to deprivation of freedom, or, if there is information about the evasion of the execution of the sentence, transmits the materials to the court at the place where the convict has been detained to decide the question of sending him to the place of detention in accordance with the sentence.

Article 78⁴. Supervision of Persons Conditionally Sentenced and Conditionally Released

The implementation of the supervision of the conduct of persons conditionally sentenced to deprivation of freedom with mandatory involvement in work and conditionally released from places of detention with mandatory involvement in work is entrusted to the organs of internal affairs. The procedure for the implementation of supervision is established by the USSR Ministry of Internal Affairs in coordination with the USSR Procuracy.

Article 78⁵. The Work of Persons Conditionally Sentenced and Conditionally Released, the Dismissal of These Persons from Work and Their Transfer to Work in Another Locality

The administration of the enterprises at the place of work of those conditionally sentenced to deprivation of freedom with mandatory involvement in work and conditionally released from places of detention with mandatory involvement in work is obligated to secure the involvement of these persons in socially useful labor, to the extent possible, with regard to the specialty they have, to arrange for them professional training, and to create the necessary housing and living conditions.

The administration of enterprises is prohibited from dismissing persons, conditionally sentenced and conditionally released, from work during the term of mandatory involvement in work, with the exception of cases of conditional early release from punishment, transfer to other enterprises, assignment to places of detention for serving a penalty, or acknowledgement, in accordance with established procedure, as an invalid of the first or second group.

The transfer of these persons to work in another locality may be carried out by the administration only with the consent of the organ of internal affairs implementing the supervision.

Article 78⁶. Political Education Work with Persons Conditionally Sentenced and Conditionally Released

With persons, conditionally sentenced to deprivation of freedom with mandatory involvement in work and conditionally released from places of detention with mandatory involvement in work, political education work is conducted which is aimed at educating them in the spirit of a conscientious attitude toward work, the precise observance of laws and respect for the rules of society, and a careful attitude toward socialist property, at increasing their consciousness and cultural level, and at the development of their useful initiative.

The participation of convicts in political education measures is encouraged and is taken into consideration in the determination of their correction and reeducation.

The political education work with the convicts is conducted by the administration and public organizations at the place of work of the convicts, and by the organ in charge of the execution of the sentence."

II. To introduce the following additions and changes in the RSFSR Corrective Labor Code:

1. To supplement part three of Art 18 after the words "citizen of the USSR" with the words: "Convicts, sent in accordance with the court sentence to colony settlements for persons who have committed crimes because of carelessness, and convicts, transferred to colony settlements in accordance with the procedure provided for by Art 51 of the present Code, are confined separately in different colony settlements."

2. To word part five of Art 22 as follows:

"In accordance with the procedure established by the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics and the present Code, convicts are permitted to acquire, by written order, food products and basic necessities, have visits, receive parcels, transmittals and money transfers, conduct correspondence, and send money transfers to relatives."

3. To word part five of Art 38 as follows:

"The time of the work of convicts during the period of serving a penalty in the form of deprivation of freedom does not count toward their labor service, except in the cases specifically provided for by law."

4. To word part three of Art 39 as follows:

"Persons, serving a penalty in corrective labor colony settlements for persons who have committed crimes because of carelessness, and in corrective labor colony settlements, as well as convicted women, who have been allowed to live outside the colony in accordance with Art 33 of the present Code, regardless of all deductions, must be paid no less than 50 percent of the total sum of their earnings."

5. In Art 47:

a) To supplement the article after part two with a new part of the following content:

"For the taking of examinations, students are released from work for the period of time provided for by the labor legislation of the USSR and the RSFSR. Wages are not credited to them for this period, food is given to them free of charge";

b) to consider parts three and four respectively as parts four and five.

6. To word the fourth paragraph of part two of Art 51 as follows:

"From corrective labor colonies of the general, strengthened and strict-regime type to colony settlements--after serving no less than one-third of the penalty term, and convicts enumerated in part six of Art 53 and 53¹ of the RSFSR Criminal Code, respectively--after serving not less than two-thirds of the designated penalty term."

7. To word part four of Art 53 as follows:

"In accordance with the procedure established by Art 364 of the RSFSR Code of Criminal Procedure, convicts, who maliciously violate the requirements of the regime, may be presented for transfer for serving their penalty from a colony-settlement to a corrective labor colony of the same type of regime as that previously stipulated by the court, and persons, sentenced for crimes committed because of carelessness and assigned to colony settlements for persons who have committed a crime because of carelessness--to a general-regime colony; convicts transferred from a special-regime colony to a strict-regime colony--to a special-regime colony; from a corrective labor colony--to prison for a term of not more than 3 years with the serving of the remaining part of the penalty in a colony; from a general-regime educational colony--to a strengthened-regime educational colony."

8. To supplement part four of Art 56 after the words "food norms" with the words "These persons, upon the finding of the medical commission, may be permitted to receive additional food parcels and transmittals".

9. To word Art 61 as follows:

"Article 61. Types of Corrective Labor Colonies

Corrective labor colonies are divided into general-regime, strengthened-regime, strict-regime, special-regime colonies, colony settlements for persons who have committed crimes because of carelessness, and colony settlements."

10. In Art 66:

a) To word part one and paragraph one of part two as follows:

"In corrective labor colony settlements for persons who have committed crimes because of carelessness, those serve their penalty who have been sentenced for

because of carelessness, those serve their penalty who have been sentenced for the first time to deprivation of freedom for a period of not more than 5 years for crimes committed because of carelessness, and in corrective labor colony settlements, persons serve their penalty who have firmly embarked on the path of correction and who have been transferred to these colonies, in accordance with the procedure provided for by Art 51 of the present Code, from general-regime, stricter-regime and severe-regime colonies.

In corrective labor colony settlements for persons who have committed crimes because of carelessness, and colony settlements, the convicts:";

b) To supplement the article after part two with a new part of the following content:

"Given a conscientious attitude toward work and exemplary behavior, convicts who have served a penalty in colony settlements for persons who have committed crimes because of carelessness, and convicts who have served a penalty in colony settlements where they were transferred in accordance with the procedure provided for by Art 51 of the present Code, the court, upon a joint petition of the organ in charge of the execution of the punishment and the supervisory commission attached to the executive committee of the local Soviet of Workers' Deputies, may include the time of their work in the colony settlements in the total labor service";

c) To consider part three respectively as part four.

11. To word part one of Art 72 as follows:

"Convicts, who are left in accordance with Art 16 of the present Code for domestic service work in investigation isolators and prisons, enjoy the use of money, receive visits, parcels, transmittals and shipments of printed matter according to the norms established for convicts confined in general-regime corrective labor colonies, and are confined in unlocked cells. Two long visits are replaced by 6 short-term visits".

12. To exclude from part one of Art 100 the words "The Procedure for the release of such persons from the further serving of punishment is determined by the legislation of the USSR and the RSFSR".

13. To word Art 99 as follows:

"Article 99. Presentation for Conditional Early Release from Punishment and for the Commutation of a Penalty to a Milder One and for the Conditional Release from Places of Detention with Mandatory Involvement of the Convict in Work

With respect to a convict, to whom in accordance with Arts 53, 53² and 55 of the RSFSR Criminal Code conditional early release from punishment may be applied, or the commutation of the unserved part of a penalty to a milder penalty, or conditional release from places of detention with mandatory involvement in work, the organ in charge of the execution of the punishment, jointly with

the organs and public organizations indicated in the enumerated articles of the RSFSR Criminal Code, makes representations to the court concerning the conditional early release of the convict from punishment or about the commutation of the unserved part of his punishment to a milder punishment, or about the conditional release of the convict from places of detention with mandatory involvement of him in work.

The representation must contain information characterizing the conduct of the convict, his attitude toward work and study during the entire period of the serving of the penalty. The personal file of the convict is transmitted simultaneously with the representation to the court."

14. To supplement the Code with Arts 26¹ and 100¹ of the following content:

"Article 26¹. Short-Term Departures Beyond the Bounds of Places of Detention

Convicts, who are confined in general-regime corrective labor colonies, colony settlements for persons who have committed because of carelessness, and educational labor colonies, may be permitted short-term departures beyond the bounds of places of detention for a period of not more than 7 days, not counting the time required for travel on both ends (not more than 5 days), in connection with exceptional personal circumstances: The death or serious illness of a close relative, threatening the life of the person who is ill; a natural disaster which has inflicted significant material damage on the convict or his family.

Permission for a short-term departure is given by the head of the corrective labor institution in coordination with the procurator, taking into account the personality and conduct of the convict. The time during which the convict is outside the bounds of the corrective labor institution counts toward the serving of the penalty term. The cost of the convict's travel is paid by him personally or by his relatives. Wages are not credited to him for the time during which he is outside the bounds of the corrective labor institution.

The procedure for granting convicts short-term departures outside the bounds of places of detention in connection with exceptional personal circumstances is determined by the USSR Ministry of Internal Affairs in coordination with the USSR Procuracy."

"Article 100¹. Release from the Serving of Punishment Because of Disability of Persons Conditionally Sentenced to Deprivation of Freedom and Conditionally Released from Places of Detention

A person, who is conditionally sentenced to deprivation of freedom with mandatory involvement in work or conditionally released from places of detention with mandatory involvement in work, if he is recognized as an invalid of the first or second group in accordance with established procedure, if the disability was incurred by him as the result of mutilation during work or a job-related illness, is released early by the court from the further serving of his penalty in accordance with the procedure established by the legislation of the USSR and Art 362¹ of the RSFSR Code of Criminal Procedure.

If disability of the first or second group is incurred by the person indicated in part one of the present article for reasons not connected with his production activity, the court may either release such a person early or send him to serve the sentence of deprivation of freedom".

III. To make the present Ukase effective as of 1 April 1977.

Chairman of the Presidium of the Supreme Soviet of the RSFSR M. Yasnov.
Secretary of the Presidium of the Supreme Soviet of the RSFSR Kh. Neshkov.

Moscow, 11 March 1977.

Amendment No 3

Moscow VEDOMOSTI VERKHOVNOGO SOVETA RSFSR in Russian 22 Sep 77 p 639

[Ukase of the Presidium of the RSFSR Supreme Soviet, dated 14 September 1977]

[Text] 907 On the Introduction of Changes in Article 40 of the RSFSR Corrective Labor Code

In accordance with the Ukase of the Presidium of the USSR Supreme Soviet of 7 September 1977 "On the Introduction of Changes in Article 29 of the Fundamentals of Corrective Labor Legislation of the USSR and the Union Republics", the Presidium of the RSFSR Supreme Soviet decrees:

To introduce changes in Art 40 of the RSFSR Corrective Labor Code (VEDOMOSTI VERKHOVNOGO SOVETA RSFSR, 1970, No 51, Article 1220; 1973, No 22, Article 491; 1977, No 12, Article 258), having worded part one of this article as follows:

"Persons serving a penalty in corrective labor colonies and prisons, from the wages credited to them, reimburse the value of food, clothing, underwear and footwear, with the exception of overalls and special food. After reimbursement of these expenditures, deductions are made from the wages credited in accordance with court orders and other court documents in accordance with the procedure set forth by Arts 419-423 of the RSFSR Code of Civil Procedure. As an exception to this rule, alimony payments for children of minor age are calculated from the total sum earned by the convict, including that part which is deducted for reimbursement of the expenses for the maintenance of the corrective labor institutions, and are withheld prior to the reimbursement of these expenses."

Chairman of the Presidium of the Supreme Soviet of the RSFSR M. Yasnov.
Secretary of the Presidium of the Supreme Soviet of the RSFSR Kh. Neshkov.

Moscow, 14 September 1977.

8970

CSO: 1800/1609

AMENDMENTS TO RSFSR CORRECTIVE LABOR CODE 1983

Moscow SOVETSKAYA YUSTITSIYA in Russian No 8, Apr 83 (signed to press 3 Apr 83)
pp 24-26

[Ukase of the RSFSR Supreme Soviet Presidium on Making Amendments and Additions to the RSFSR Corrective-Labor Code, signed by RSFSR Supreme Soviet Presidium Chairman M. Yasnov and RSFSR Supreme Soviet Presidium Secretary Kh. Neshkov, Moscow, 4 March 1983]

[Text] In order to conform to the USSR Constitution, the RSFSR Constitution and Ukases of the USSR Supreme Soviet Presidium dated 13 August 1981 "On Making Amendments and Additions to the Principles of Corrective-Labor Laws of the USSR and Union Republics," of 26 July 1982 "On Further Improvement of Criminal and Corrective-Labor Laws" and of 15 October 1982 "On Making Amendments and Additions to Certain USSR Legislative Acts," as well as for further improvement of the RSFSR corrective-labor laws, the RSFSR Supreme Soviet Presidium decrees:

Make the following amendments and additions to the RSFSR Corrective-Labor Code, approved by RSFSR Law of 18 December 1970 (VEDOMOSTI VERKHOVNOGO SOVETA RSFSR, No 51, 1970, Article 1220; No 22, 1973, Article 491; No 12, 1977, Article 238; and No 38, 1977, Article 907):

1. Word part one of Article 11 as follows:

"Supervision over precise observance of laws in executing sentences for imprisonment, exile, banishment and corrective work without imprisonment is exercised by the USSR Procurator General and by the subordinate RSFSR Procurator and lower procurators in conformity with the USSR Law 'On the USSR Procuracy.' In exercising higher supervision over fulfillment of laws in the name of the state, the procurator is obligated to take steps to uncover and promptly remedy any violations of the law, no matter from whom these violations stemmed, for restoring violated rights and for holding guilty parties liable as prescribed by law."

2. Word part one of Article 16 as follows:

"In exceptional instances persons who have been sentenced for the first time to imprisonment for crimes which are not grave, and who have been sentenced for the first time to imprisonment for a period not over three years for grave crimes,

and who are to serve the sentence in corrective-labor colonies of a general regime can, with their consent, be left in prison or in investigative isolation for work in housekeeping services."

3. In Article 18:

In part three substitute the words "foreign citizens" for the word "foreigners";

In part five substitute the words "Procuracy of the Union of SSR" for the words "Procuracy of the USSR."

4. In Article 31:

In parts three and five substitute the words "foreign citizens" for the word "foreigners";

In part four eliminate the words "border and," and after the word "localities" add the words "and border zone."

5. Word Article 36 as follows:

"Article 36. Suggestions, petitions and complaints of convicts serving imprisonment.

"Convicts have the right to present suggestions, petitions and complaints to state entities, public organizations and appointed persons. Convicts' suggestions, petitions and complaints are sent to the proper quarter in conformity with the Regulations of Corrective-Labor Establishments and are resolved under procedures established by law.

"Suggestions, petitions and complaints addressed to the procurator are not subject to examination and are sent to the proper quarter within a 24-hour period.

"Convicts are informed of, and sign for, the results of an examination of suggestions, petitions and complaints."

6. In part one of Article 40 add the words "by USSR law and" following the word "prescribed."

7. In Article 47:

Word part one as follows:

"Convicts from among the youth receive a mandatory general secondary education and convicts who have not reached the age of 40 receive a mandatory general eighth-grade education in corrective-labor establishments";

Eliminate part two, and in connection with this number parts three, four and five as parts two, three and four respectively.

8. In Article 78²:

In part one following the words "In dormitories specially designated for them" add the words "a convict's stay outside the dormitory at times free from work is authorized only by permission of the internal affairs entity exercising supervision," eliminating from it the words "with good behavior, a conscientious attitude toward work and the presence of a family they can be authorized to live with their families in living space they lease, by decree of the chief of the internal affairs entity";

Eliminate the word "leave" from part two.

9. In Article 78³:

Word part two as follows:

"Measures of punishment also can be applied to a convict as prescribed by parts four and five of Article 78⁴ of this Code";

Following part two add a new part to the article with the following content:

"A convict who evades work or systematically or maliciously violates labor discipline, public order or living rules established for him can be held by an internal affairs entity with the approval of the procurator for a period of no more than ten days for purposes of stopping the evasion of sentence execution and for transferring materials to the court for resolving the question of sending him to a place of imprisonment in conformity with the sentence";

Number parts three and four as parts four and five respectively.

10. Add a new article to the Code following Article 78³ with the following content:

"Article 78⁴. Measures of incentive and punishment applied to persons given conditional sentences and conditionally released.

"Internal affairs entities can apply the following measures of incentive to persons conditionally sentenced and conditionally released for good behavior and an honest attitude toward work;

"Commendation;

"Removal of previously imposed punishment ahead of schedule;

"Travel on leave beyond limits of the administrative region by a decision made jointly with the enterprise administration.

"Persons conditionally sentenced and conditionally released can, by decree of the chief of the internal affairs entity, be authorized to live with their families in living space they lease with good behavior, a conscientious attitude toward work and the presence of a family.

"Persons conditionally sentenced and conditionally released who have demonstrated their correction by exemplary behavior and an honest attitude toward work can be recommended in the procedure established by law for ahead of schedule conditional release or for substitution of a lighter punishment for the unserved portion of the punishment.

"Internal affairs entities can apply measures of punishment--a warning or a reprimand--to persons conditionally sentenced and conditionally released who violate labor discipline, public order, registration rules or living rules established for them.

"Person who violate labor discipline, public order or registration rules can, by decree of the chief of the internal affairs entity, be prohibited from living outside the dormitory, from leaving the dormitory at a prescribed time as well as from staying in certain places for a period of up to six months.

"The chief of an internal affairs entity has the full right to apply measures of incentive and punishment provided by this article, and the chief of an entity managing the execution of a sentence also has the right of applying measures of incentive and punishment provided by parts one and four of this article with respect to persons conditionally sentenced and conditionally released."

11. Number Article 78⁴ as Article 78⁵.

Word the last sentence of this article as follows:

"The procedure for exercising supervision and Regulations in Dormitories intended as residences for these persons are established by the USSR Ministry of Internal Affairs by agreement with the USSR Procuracy."

Add part two to the article with the following content:

"Appointed persons of internal affairs entities who exercise supervision have the right, for purposes of stopping the obtaining and illegal keeping of objects prohibited by the Regulations for use in dormitories especially intended as residence for persons conditionally sentenced to imprisonment with mandatory labor and conditionally released from prison with mandatory labor, to perform an examination of these convicts as well as their belongings and confiscate prohibited objects under the procedure established by the aforementioned Regulations. Depending on their nature and circumstances of acquisition, the confiscated objects are turned in for storage or destroyed."

12. Number Article 78⁵ as Article 78⁶.

13. Number Article 78⁶ as Article 78⁷. Word part three of the article as follows:

"The administration, labor collectives, public organizations, as well as the entity managing the execution of sentence perform political indoctrination work with convicts."

14. In part four of Article 91 following the words "in the previous position or work" add the words "except for instances provided by part one of Article 28 of the RSFSR Criminal Code."

15. In Article 93:

In part one replace the word "collectives" with the words "labor collectives";

In part two following the words "sentenced to corrective work in other places" add the words "persons sentenced to corrective work without imprisonment at the place of work, whom the court has sent to serve the punishment in other places."

16. In Article 97:

After part five add a new part with the following content:

"In case persons sentenced to corrective work without imprisonment at the place of work evade serving the punishment, the entity executing this kind of punishment can submit a representation to the court, and a public organization or labor collective can petition the court for sending these persons to other places to serve punishment, but in the area where the convict lives";

Word part six as follows:

"When persons sentenced to corrective work without imprisonment at other locations evade serving the punishment, they can be warned by the entity executing this kind of punishment";

Word part eight as follows:

"In case of malicious evasion of serving punishment by persons sentenced to corrective work without imprisonment, the entity executing this kind of punishment can submit a representation to the court for changing the unserved period of corrective work without imprisonment for punishment in the form of imprisonment, in conformity with Article 28 of the RSFSR Criminal Code";

Number parts six, seven and eight of this article as parts seven, eight and nine respectively.

17. Add new parts to Article 99 with the following content:

"The conditional release of a convict from places of imprisonment with mandatory labor is done only when there is a pledge by the convict to demonstrate his correction by exemplary behavior and an honest attitude toward work. Such a pledge is given by the convict to the administration of the corrective-labor establishment and the supervisory commission in written form and it is submitted together with other documents according to prescribed procedure to the court for deciding the question of the convict's conditional release from places of imprisonment with mandatory labor.

"In case the court refuses the conditional release from places of imprisonment with mandatory labor or for ahead of schedule conditional release from punishment or replacement of the unserved portion of punishment with a lighter punishment, another submission of representations on these matters can occur no earlier than after six months from the date the decision on refusal was made.

"Persons conditionally sentenced to imprisonment with mandatory labor and conditionally released from places of imprisonment with mandatory labor and sent to serve imprisonment designated by the sentence can, in instances prescribed by law, be recommended for conditional release from places of imprisonment with mandatory labor no earlier than after one year from the date the decision was made for sending them to places of imprisonment."

18. In Article 106:

In part one replace the words "soviets of workers' deputies" with the words "soviets of people's deputies," and replace the words "workers' collectives" with the words "labor collectives";

In part two replace the words "workers' collective" with the words "labor collective."

19. In paragraph three of Article 6 and part two of Article 8 replace the word "foreigners" with the words "foreign citizens."

20. In part two of Article 19 and part three of Article 26¹ replace the words "USSR Procuracy" with the words "Union of SSR Procuracy."

21. In part three of Article 66, part eight of Article 80, part three of Article 81, parts three and four of Article 83, parts two and four of Article 88, parts three and four of Article 89, and parts one and two of Article 104 replace the title "soviets of workers' deputies" with the title "soviets of people's deputies."

22. In part one of Article 84, paragraph two of Article 96, part one of Article 105, part one of Article 110, the heading and text of Article 112 and part one of Article 113 replace the words "workers' collectives," "collective," "workers' collectives" and "workers' collectives" with the words "labor collectives," "labor collective," "labor collectives" and "labor collectives" respectively.

23. In Article 107 and part two of Article 108 replace the words "entities of the militia" with the words "entities of internal affairs (militia)."

COPYRIGHT: Izdatel'stvo "Yuridicheskaya literatura," zhurnal "Sovietskaya Yustitsiya," 1983

END OF

FICHE

DATE FILMED

29 Nov. 1983